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**Albertsen et al.**

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(54) **PLANT MALE TISSUE-PREFERRED PROMOTOR, REGULATORY REGIONS AND METHODS OF USE IN MEDIATING PLANT MALE FERTILITY**

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**A01H 1/00** (2006.01)  
**C12N 15/82** (2006.01)  
**C12N 15/11** (2006.01)

(52) **U.S. Cl.** ..... **800/298; 800/290; 800/274; 536/24.1; 435/320.1**

(58) **Field of Classification Search** ..... **536/24.1; 435/320.1**

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

5,432,068 A \* 7/1995 Albertsen et al. .... 536/24.1  
5,608,142 A \* 3/1997 Barton et al. .... 800/302  
5,689,041 A \* 11/1997 Mariani et al. .... 435/320.1  
5,837,850 A \* 11/1998 Huffman ..... 438/255  
5,850,014 A 12/1998 Albertsen et al. .... 800/258

**FOREIGN PATENT DOCUMENTS**

WO WO9529247 11/1995  
WO WO9613588 5/1996  
WO WO9617945 6/1996  
WO WO9640925 12/1996  
WO WO9859061 12/1998  
WO WO 01/06845 2/2000

**OTHER PUBLICATIONS**

Donal et al., Mutation of either G box or I box sequence profoundly affects expression from the Arabidopsis rbcS-1A promoter, 1990, The EMBO Journal, vol. 9, No. 6, pp. 1717-1726.\*

Walbot, Feb. 2, 2000, ACC: AI820207.\*

Donald et al, 1990, EMBO J. 9:1717-1726.\*

Hao et al, 1998, J. Biol. Chem. 273:26857-26861.\*

Rebers, J. (1999) *Insect Biochem Mol* 29:293-302.

Vrati et al. (1996) *Virology* 220:186-199.

Millar, J.K. et al. (2001) *Molecular Psychiatry* 6:173-178.

Aranda-Agustin et al. (1998) *Nucleic Acids Res* 26:4588-4596.

Sasaki, T. et al. GenBank ACC AP003373 (submitted Mar. 7, 2001; replaced Aug. 28, 2002).

Database EMBL Mar. 8, 2000 "660053C10.ul 660—Mixed states of anther and pollen *Zea mays* cDNA, mRNA sequence" Database scc. No. AW519943 XP002218355.

Database EMBL Feb. 15, 2000 "660039C10.xl 660- Mixed stages of anther and pollen *Zea mays* cDNA, mRNA sequence" Database acc. No. AW424821 XP002218356.

Database EMBL Mar. 29, 2000 "EST321966 tomato flower buds 3-8mm, Cornell University Lycopersicon esculentum cDNA clone cTOB13J12 5', mRNA sequence" Database acc. No. AW624021 XP002218357.

Database EMBL Jul. 3, 2000 "Oryza sativa chromosome 3 BAC OSJNBa0091P11 genomic sequence, complete sequence" Database acc. No. AC073556 XP002218358.

Database EMBL Jul. 12, 2000 "6605087D02.x3 605—Ednwsperm cDNA library from Schmidt lab *Zea mays* cDNA mRNA sequence" Database acc. No. AI820207 XP 002218359.

Database EMBL May 15, 2001 "*Zea mays* cytochrome P450-like protein (ms\*sb200) mRNA, complete cds." Database acc. No. AF366297 XP002218360.

Database EMBL May 15, 2001 "*Zea mays* cytochrome P450-like protein (ms\*sb200) gene, promoter sequence." Database acc. No. AF366296 XP002218361.

Database EMBL Jun. 21, 2001 "P1\_18\_C12.bq\_A002 Immature panicle 1 (IP1) Sorghum bicolor cDNA, mRNA sequence" Database acc. No. BIO75273 XP002218362.

Database SWISSPROT Aug. 1, 1998 "Putative cytochrome P450." Database acc. No. 064631 XP002218363.

Database EMBL Dec. 16, 1977 "*Arabidopsis thaliana* chromosome 2 BAC F17K2 genomic sequence, complete" Database acc. No. ac003680 XP002218364.

Tang et al. 1999, *Plant Cell* 11:177-189.

Amdt et al 1997 *Genome* 40:785-797.

Colliver et al, 1997, *Plant Mol Biol.* 35:509-522.

Anderson et al., 2000, GenBank Accession No. BE494080.

Klann et al., 1996, *Plant Physiol.* 112: 1321-1330.

Lazar et al. 1998, *Mol. Cell Biol.* 8:1247-1252.

(Continued)

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(57) **ABSTRACT**

Nucleotide sequences which are male tissue-preferred promoters and male tissue-preferred regulatory regions are disclosed, as are sequences essential to initiating transcription of select genes. The sequences are useful in mediating male fertility in plants.

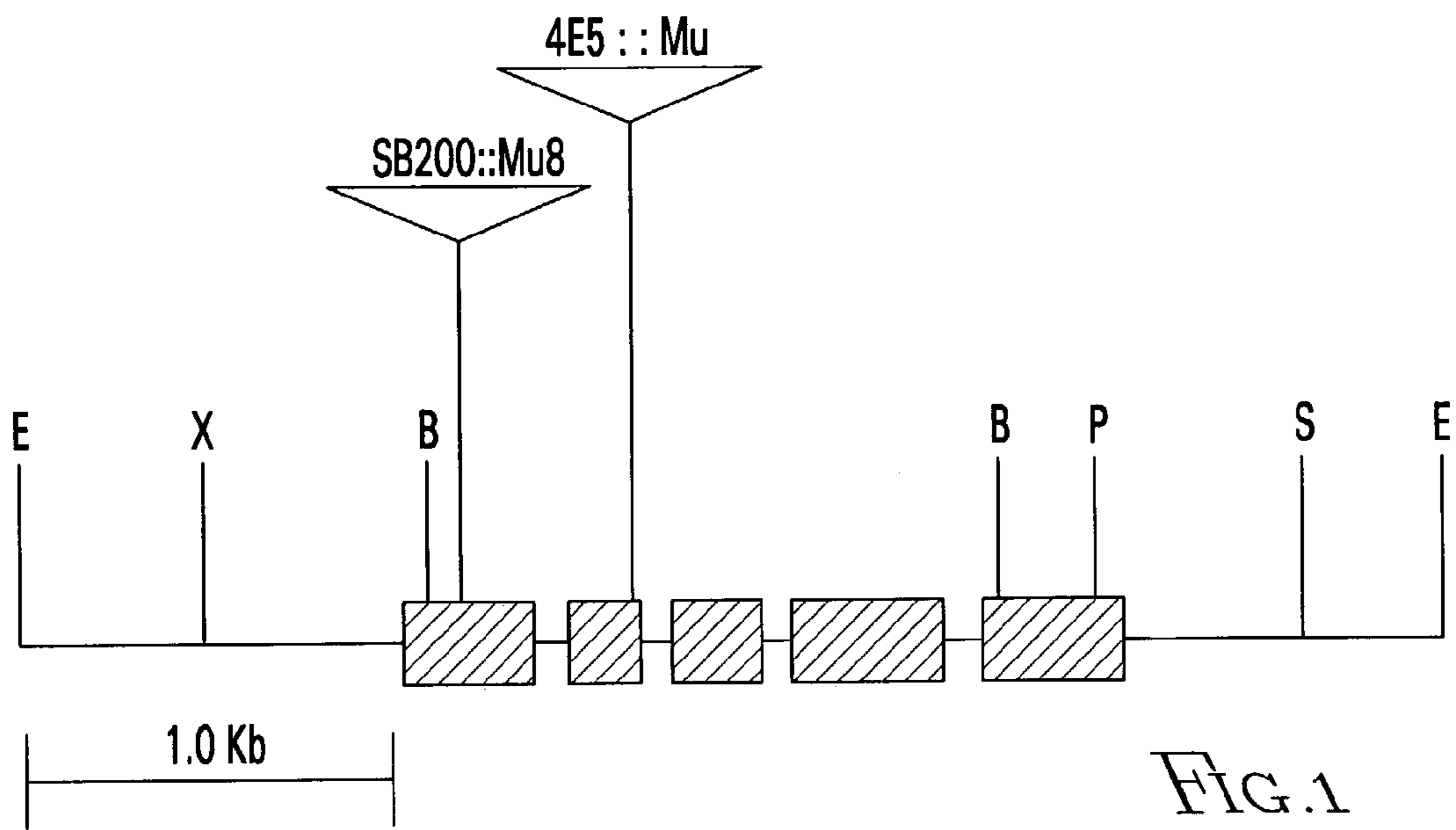
**29 Claims, 21 Drawing Sheets**

OTHER PUBLICATIONS

Hill et al., 1998, *Biochem. Biophys. Res. Comm.* 244:573-577.  
Walbot, 2000, GenBank Sccession Nos: AW519943 and AW424821.  
Merriam-Webster Online Dictionary, 2004, [www.m-w.com/cgi-bin/cictionary?book=Dictionary&va=mediate&x=22&y=21](http://www.m-w.com/cgi-bin/cictionary?book=Dictionary&va=mediate&x=22&y=21) .  
Walbot, Feb. 2, 2000 ACC: AI820207.

Rebers, J. (1999) *Insect Biochem Ol.* 29:293-302.  
Vrati et al. (1996) *Virology* 220:186-199.  
Millar, J.K. et al. (2001) *Molecular Psychiatry* 6:173-178.  
Aranda-Agustin et al. (1998) *Nucleic Acids Res.* 26:4588-4596.  
Sasaki, T. et al. GenBank ACC AP003373 (submitted Mar. 7, 2001; replaced Aug. 29, 2002).

\* cited by examiner





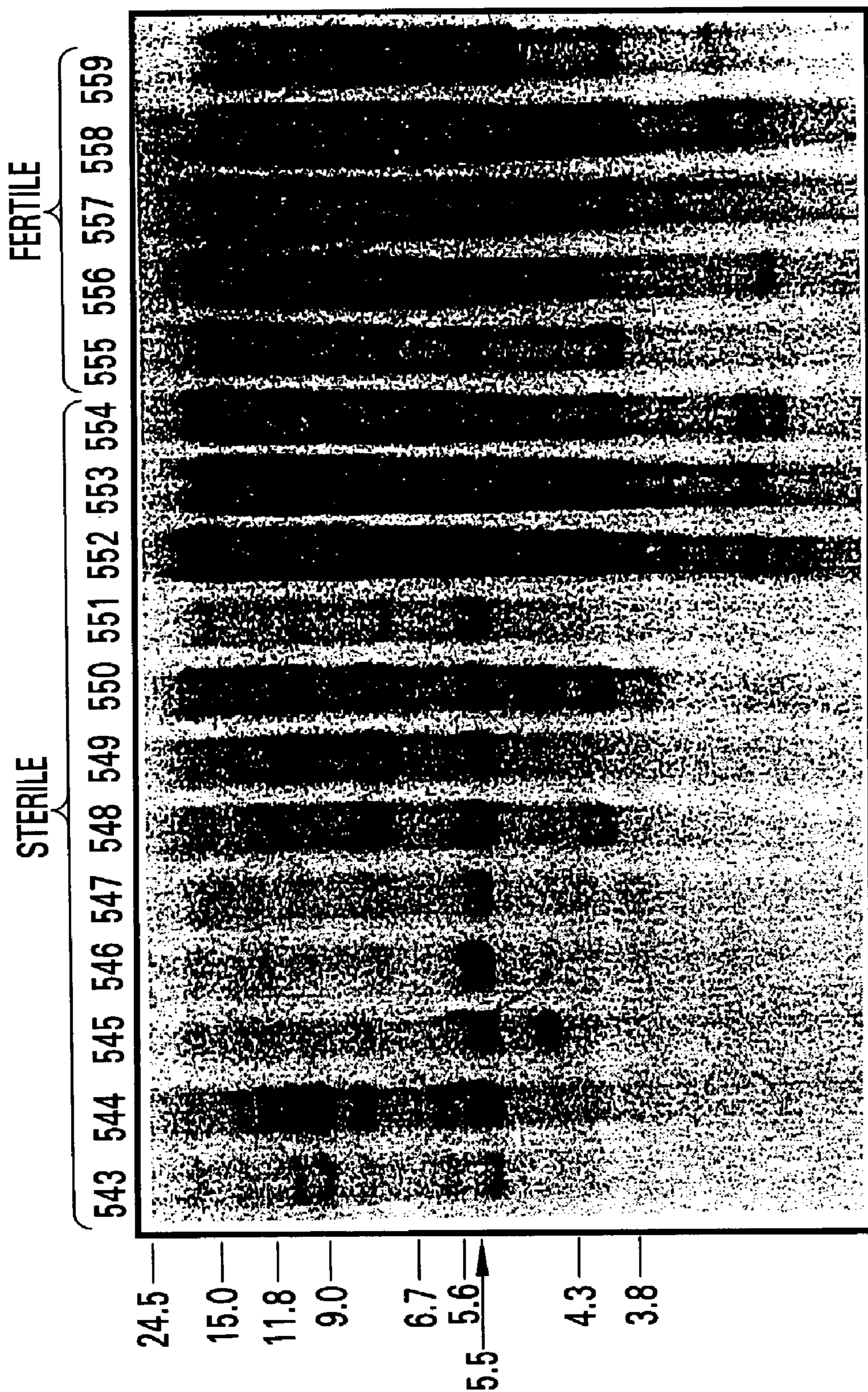


FIG. 2



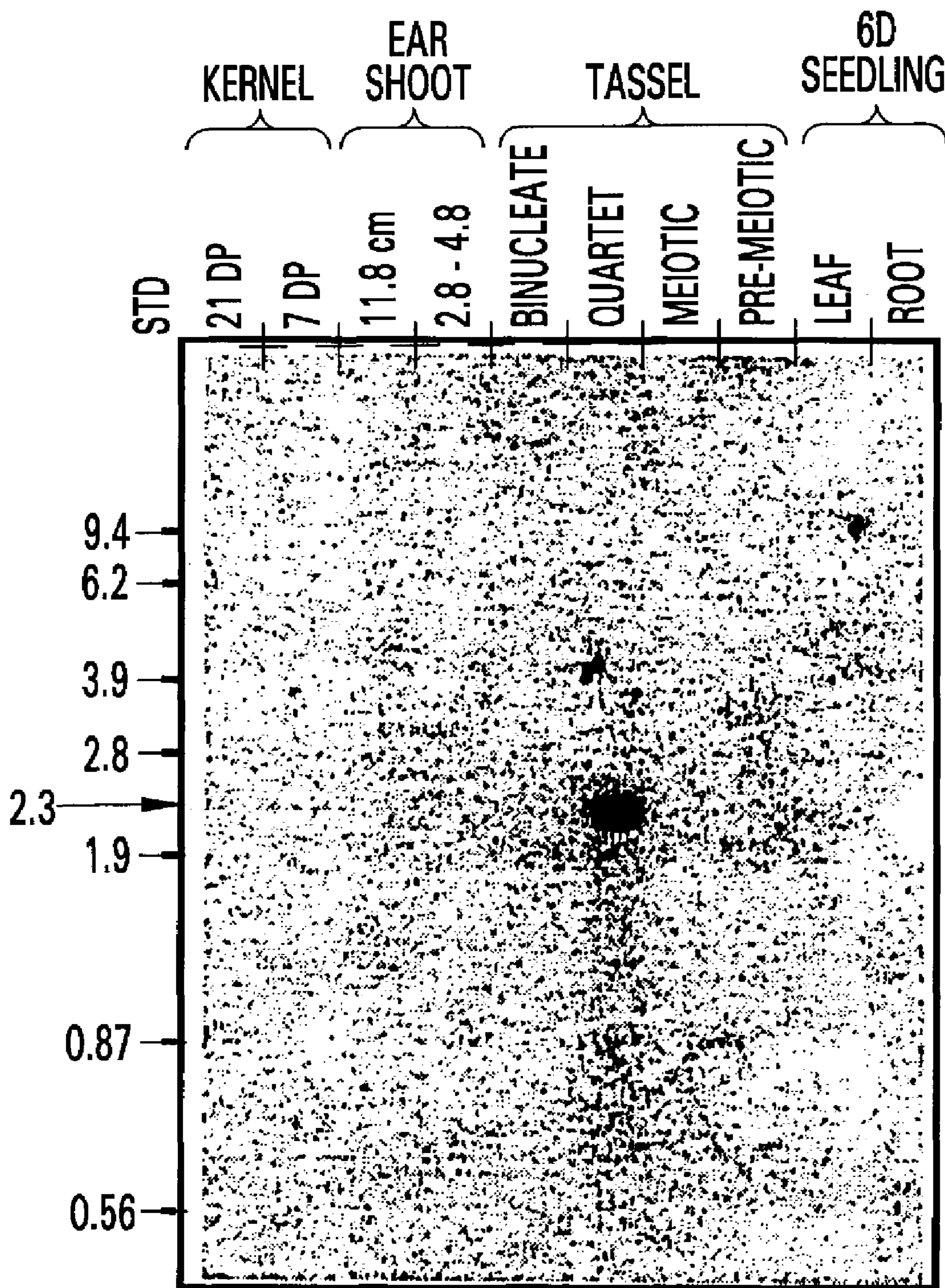


FIG. 3

EcoRI  
|  
GAATTCGGCACGAGGGAAGCTCACCTCACGCCGGCGACGCCATCGCCATTCTTCCCCTA  
1 -----+-----+-----+-----+-----+-----+-----+ 60  
CTTAAGCCGTGCTCCCTTCGAGTGGAGTGC GGCCGCTGCGGTAGCGGTAAGAAGGGTGAT  
E F G T R E A H L T P A T P S P F F P L -  
GCAGGGCCTCACAAGTACATCGCGCTCCTTCTGGTTGTCCTCTCATGGATCCTGGTCCAG  
61 -----+-----+-----+-----+-----+-----+ 120  
CGTCCCGGAGTGTTTCATGTAGCGCGAGGAAGACCAACAGGAGAGTACCTAGGACCAGGTC  
A G P H K Y I A L L L V V L S W I L V Q -  
AGGTGGAGCCTGAGGAAGCAGAAAGGCCCGAGATCATGGCCAGTCATCGGCGCAACGGTG  
121 -----+-----+-----+-----+-----+-----+ 180  
TCCACCTCGGACTCCTTCGTCTTTCCGGGCTCTAGTACCGGTCAGTAGCCGCGTTGCCAC  
R W S L R K Q K G P R S W P V I G A T V -  
GAGCAGCTGAGGAACTACCACCGGATGCACGACTGGCTTGTCGGGTACCTGTCACGGCAC  
181 -----+-----+-----+-----+-----+-----+ 240  
CTCGTCGACTCCTTGATGGTGGCCTACGTGCTGACCGAACAGCCCATGGACAGTGCCGTG  
E Q L R N Y H R M H D W L V G Y L S R H -  
AGGACAGTGACCGTCGACATGCCGFTCACTTCTACACCTACATCGCTGACCCGGTGAAT  
241 -----+-----+-----+-----+-----+-----+ 300  
TCCTGTCACTGGCAGCTGTACGGCAAGTGAAGGATGTGGATGTAGCGACTGGGCCACTTA  
R T V T V D M P F T S Y T Y I A D P V N -  
GTCGAGCATGTCCTCAAGACTAACTTCACCAATTACCCCAAGGGAATCGTGTACAGATCC  
301 -----+-----+-----+-----+-----+-----+ 360  
CAGCTCGTACAGGAGTTCTGATTGAAGTGGTTAATGGGGTTCCTTAGCACATGTCTAGG  
V E H V L K T N F T N Y P K G I V Y R S -  
TACATGGACGTGCTCCTCGGTGACGGCATCTTCAACGCCGACGGCGAGCTGTGGAGGAAG  
361 -----+-----+-----+-----+-----+-----+ 420  
ATGTACCTGCACGAGGAGCCACTGCCGTAGAAGTTGCGGCTGCCGCTCGACACCTCCTTC  
Y M D V L L G D G I F N A D G E L W R K  
CAGAGGAAGACGGCGAGTTTCGAGTTCGCCTCCAAGAACCTGAGGGATTTTCAGCGCCATT  
421 -----+-----+-----+-----+-----+-----+ 480  
GTCTCCTTCTGCCGCTCAAAGCTCAAGCGGAGGTTCTTGGACTCCCTAAAGTCGCGGTAA  
Q R K T A S F E F A S K N L R D F S A I -

FIG. 4A



481 GTG TTCAGAGAGTACTCCCTGAAGCTGTCGGGTATACTGAGCCAGGCATCCAAGGCAGGC 540  
 -----+-----+-----+-----+-----+-----+-----+  
 CACAAGTCTCTCATGAGGGACTTCGACAGCCCATATGACTCGGTCCGTAGGTTCCGTCCG  
 V F R E Y S L K L S G I L S Q A S K A G -  
 AAAGTTGTGGACATGCAGGAACTTTACATGAGGATGACGCTGGACTCCATCTGCAAGGTT  
 541 -----+-----+-----+-----+-----+-----+-----+ 600  
 TTTCAACACCTGTACGTCCTTGAAATGTACTCCTACTGCGACCTGAGGTAGACGTTCCAA  
 K V V D M Q E L Y M R M T L D S I C K V -  
 GGGTTCGGGGTCGAGATCGGCACGCTGTCGCCAGATCTCCCCGAGAACAGCTTCGCGCAG  
 601 -----+-----+-----+-----+-----+-----+-----+ 660  
 CCCAAGCCCCAGCTCTAGCCGTGCGACAGCGGTCTAGAGGGGCTCTTGTCGAAGCGCGTC  
 G F G V E I G T L S P D L P E N S F A Q -  
 GCGTTCGATGCCGCCAACATCATCATCACGCTGCGGTTTCATCGACCCGCTGTGGCGCATC  
 661 -----+-----+-----+-----+-----+-----+-----+ 720  
 CGCAAGCTACGGCGGTTGTAGTAGTAGTGCGACGCCAAGTAGCTGGGCGACACCGCGTAG  
 A F D A A N I I I T L R F I D P L W R I -  
 AAGAGGTTCTTCCACGTCGGGTCAGAGGCCCTCCTAGCGCAGAGCATCAAGCTCGTGGAC  
 721 -----+-----+-----+-----+-----+-----+-----+ 780  
 TTCTCCAAGAAGGTGCAGCCCAGTCTCCGGGAGGATCGCGTCTCGTAGTTCGAGCACCTG  
 K R F F H V G S E A L L A Q S I K L V D -  
 GAGTTCACCTACAGCGTGATCCGCCGGAGGAAGGCCGAGATCGTCGAGGTCCGGGCCAGC  
 781 -----+-----+-----+-----+-----+-----+-----+ 840  
 CTCAAGTGGATGTCGCACTAGGCGGCCTCCTTCCGGCTCTAGCAGCTCCAGGCCCGGTTCG  
 E F T Y S V I R R R K A E I V E V R A S -  
 GGCAAACAGGAGAAGATGAAGCACGACATCCTGTCACGGTTCATCGAGCTGGGCGAGGCC  
 841 -----+-----+-----+-----+-----+-----+-----+ 900  
 CCGTTTGTCTCTTCTACTTCGTGCTGTAGGACAGTGCCAAGTAGCTCGACCCGCTCCGG  
 G K Q E K M K H D I L S R F I E L G E A -  
 GCGACGACGGCGGGCTTCGGGGACGATAAGAGCCTCCGGGACGTGGTGCTCAACTTC  
 901 -----+-----+-----+-----+-----+-----+-----+ 960  
 CCGCTGCTGCCGCCGCGAAGCCCCTGCTATTCTCGGAGGCCCTGCACCACGAGTTGAAG  
 G D D G G G F G D D K S L R D V V L N F -  
 GTGATCGCCGGGCGGGACACGACGGCGACGACGCTGTCGTGGTTCACGCACATGGCCATG  
 961 -----+-----+-----+-----+-----+-----+-----+ 1020  
 CACTAGCGGCCCGCCCTGTGCTGCCGCTGCTGCGACAGCACCAGTGCGTGTACCGGTAC  
 V I A G R D T T A T T L S W F T H M A M -

FIG. 4B

1021 TCCCACCCGGACGTGGCCGAGAAGCTGCGCCGCGAGCTGTGCGCGTTCGAGGCGGAGCGC 1080  
 -----+-----+-----+-----+-----+-----+-----+  
 AGGGTGGGCCTGCACCGGCTCTTCGACGCGGCGCTCGACACGCGCAAGCTCCGCCTCGCG  
 S H P D V A E K L R R E L C A F E A E R -  
 1081 GCGCGGAGGAGGGCGTCACGCTCGTGCTCTGCGGCGGCGCTGACGCCGACGACAAGGCG 1140  
 -----+-----+-----+-----+-----+-----+-----+  
 CGCGCGCTCCTCCCGCAGTGGGAGCACGAGACGCCGCCGCGACTGCGGCTGCTGTTCCGC  
 A R E E G V T L V L C G G A D A D D K A -  
 1141 TTCGCCGCCCGCGTGGCGCAGTTCGCGGGCCTCCTCACCTACGACAGCCTCGGCAAGCTG 1200  
 -----+-----+-----+-----+-----+-----+-----+  
 AAGCGGCGGGCGCACCGCGTCAAGCGCCCGGAGGAGTGGATGCTGTCGGAGCCGTTTCGAC  
 F A A R V A Q F A G L L T Y D S L G K L -  
 1201 GTCTACCTCCACGCCTGCGTCACCGAGACGCTCCGCCTGTACCCCGCCGTCCCTCAGGAC 1260  
 -----+-----+-----+-----+-----+-----+-----+  
 CAGATGGAGGTGCGGACGCAGTGGCTCTGCGAGGCGGACATGGGGCGGCAGGGAGTCCTG  
 V Y L H A C V T E T L R L Y P A V P Q D -  
 1261 CCCAAGGGGATCCTGGAGGACGACGTGCTGCCGGACGGGACGAAGGTGAGGGCCGGCGGG 1320  
 -----+-----+-----+-----+-----+-----+-----+  
 GGGTCCCCTAGGACCTCCTGCTGCACGACGGCCTGCCCTGCTTCCACTCCCGGCCGCC  
 P K G I L E D D V L P D G T K V R A G G -  
 1321 ATGGTGACGTACGTGCCCTACTCGATGGGGCGGATGGAGTACAACCTGGGGCCCCGACGCG 1380  
 -----+-----+-----+-----+-----+-----+-----+  
 TACCACTGCATGCACGGGATGAGCTACCCCGCCTACCTCATGTTGACCCCGGGGCTGCGC  
 M V T Y V P Y S M G R M E Y N W G P D A -  
 1381 GCGAGCTTCCGGCCGGAGCGGTGGATCAACGAGGATGGCGCGTTCGCAACGCGTCGCCG 1440  
 -----+-----+-----+-----+-----+-----+-----+  
 CGCTCGAAGGCCGGCCTCGCCACCTAGTTGCTCCTACCGCGCAAGGCGTTGCGCAGCGGC  
 A S F R P E R W I N E D G A F R N A S P -  
 1441 TTCAAGTTCACGGCGTTCCAGGCGGGGCGGAGGATCTGCCTGGGCAAGGACTCGGCGTAC 1500  
 -----+-----+-----+-----+-----+-----+-----+  
 AAGTTCAAGTGCCGCAAGGTCCGCCCGGCTCCTAGACGGACCCGTTCTGAGCCGCATG  
 F K F T A F Q A G P R I C L G K D S A Y -  
 1501 CTGCAGATGAAGATGGCGCTGGCCATCCTCTTCCGCTTCTACAGCTTCCGGCTGCTGGAG 1560  
 -----+-----+-----+-----+-----+-----+-----+  
 GACGTCTACTTCTACCGCGACCGGTAGGAGAAGGCGAAGATGTCGAAGGCCGACGACCTC  
 L Q M K M A L A I L F R F Y S F R L L E -

FIG. 4C



1561 GGGCACCCGGTGCAGTACCGCATGATGACCATCCTCTCCATGGCGCACGGCCTCAAGGTC  
 -----+-----+-----+-----+-----+-----+-----+1620  
 CCCGTGGGCCACGTCATGGCGTACTACTGGTAGGAGAGGTACCGCGTGCCGGAGTTCCAG  
  
 G H P V Q Y R M M T I L S M A H G L K V -  
  
 1621 CGCGTCTCTAGGGCCGTCTGATGTCATGGCGATTTGGATATGGATATCGTCCCGCTTAAT  
 -----+-----+-----+-----+-----+-----+ 1680  
 GCGCAGAGATCCCGGCAGACTACAGTACCGCTAAACCTATACCTATAGCAGGGCGAATTA  
  
 R V S R A V \* C H G D L D M D I V P L N -  
  
 1681 CCACGACAAATAACGCTCGTGTTACAAATTTGCATGCATGCATGTAAGGGAAAGCGATGG  
 -----+-----+-----+-----+-----+-----+ 1740  
  
 GGTGCTGTTTATTGCGAGCACAATGTTTAAACGTACGTACGTACATTCCCTTTCGCTACC  
  
 P R Q I T L V L Q I C M H A C K G K R W -  
  
 1741 GTTTCATTGGTGGCTTGGCTTAAGCCTTAAAACTCCGTCCGGGTCTTGCGAACCACCACA  
 -----+-----+-----+-----+-----+-----+ 1800  
  
 CAAAGTAACCACCGAACCGAATTCGGAATTTTTGAGGCAGCCCAGAACGCTTGGTGGTGT  
  
 V S L V A W L K P \*  
  
 1801 TCACTAGTGTTTTGTACTCTACTCCTCAGTGGAAGTGTAGTGACAGCATAACAAGTTCATC  
 -----+-----+-----+-----+-----+-----+ 1860  
 AGTGATCACAAAACATGAGATGAGGAGTCACCTTCACATCACTGTCGTATGTTCAAGTAG

XhoI  
|

1861 ATATATATTATCCTCTTTCTTAAAAAAAAAAAAAAAAAAAAAACTCGAG  
 -----+-----+-----+-----+-----+ 1906  
 TATATATAATAGGAGAAAGAATTTTTTTTTTTTTTTTTTTTGGAGCTC

FIG. 4D

1 GAATTCCAAG CGAGGCCCTT GTAGCAGAGA GTGTTGCTGA TGCAGTCGGC  
51 GGAAATGAGT GCGTGCTGAG AGCAACGCTG AGGGGTTCCTA GGGATGGCAA  
101 TGGCTATGGC AATCGGCTAG AGGTGGAGGA CAAGGTGGTG AGGATTGGGA  
151 GGGCAACCTA TGGCAAGTTG GTGAAGAGGC ACGCAATGAG AGATCTATTC  
201 AGACTTACAC TGGATGCCGC CAACAAATTC AACCTTTAGA TTTTGATACT  
251 GTCACTCCTA CTTTATTCCT TGGTTGGGCA ACTTCCAATA GGCTCATGTT  
301 AATCAATGAT TAGTGATTAT TCAGCAAATA TTCTTGTTTG TTTGACATTT  
351 ATAATATGTG GGGTGAGACG GATTAAATAT CATCCATGAG AGCTTTATCT  
401 TCATGCTCTC TTGATTTTGG TTTCAGATCA TTCTTTCAGT GTTCACAAGA  
451 ATTTTCTCAG TTTGGTCCAT GTAATTTTGG AAGTGAGGTT CCTTAAATTT  
501 CATTATGCTT CCTTTCCTTT CTAGACTAGC AACTGCATGA CTTTTCACTT  
551 TGGGTTTACA AATTGACTCA CAAGAAAACA AATTCACCTT TGGGTTTACA  
601 AATTCCTCTT CAGGATGTAC TTTTCACTTG AACTGTCATG TATAGGAACA  
651 AGGAATGGCT CAGTTTTTAA GGAACAATGT ACAGATTTCA TTTCAGAACT  
701 CTTTCTGGTT GGTTGAGTTT CAGACTTTTT GTACCAAGCT GATGGATCAC  
751 AATACTTGTT TCCAAAGTCT GATAACAGAA ACTGGCAACT CCTAATTGAT  
801 AATAAAAAGA ATAAAATACA GTATCAGATA TCTCATTTTC TTGGTTGGCA  
851 GATCACAAA AGGAACACAA AGGCTAAGCC TCCTACTTGT TCGGGAGTTA  
901 GGTCAGGGAC ACCATATGAA TGAAAGAAAT CTTAATTTGG GGTCACACCA  
951 AGATTGTCTC TCTCGAGGTT GGGGGTCCC TAAGGTTGGT AGTAGCAATA  
1001 CCCAATATAT CACCTAACAA ACCCAATCCA TGCTACATAC ATACATAGCA  
1051 TCCATCACTT GTAGACTGGA CCCTTCATCA AGAGCACCAT GGAGGAAGCT  
1101 CACATCACGC CGGCGACGCC ATCGCCATTC TTCCCCTAG CAGGGCCTCA  
1151 CAAGTACATC GCGCTCCTCC TGGTTGTCTT CTCATGGATC CTGGTCCAGA  
1201 GGTGGAGCCT GAGGAAGCAG AAAGGCCCGA GATCATGGCC AGTCATCGGT  
1251 GCAACGGTGG AGCAGCTGAG GAACTACCAC CGGATGCACG ACTGGCTTGT  
1301 CGGGTACCTG TCACGGCACA GGACAGTGAC CGTCGACATG CCGTTCACTT  
1351 CCTACACCTA CATCGCTGAC CCGGTGAATG TCGAGCATGT CCTCAAGACT

FIG. 5A



1401 AACTTCACCA ATTACCCCAA GGTAATGAC CTGAACTCAC TGATGTTTCAG  
1451 TCTTCGGAAA TCAGAGCTGA AAGCTGAATC GAATGTGCCT GAACACCGTG  
1501 TAGGGAATCG TGTACAGATC CTACATGGAC GTGCTCCTCG GTGACGGCAT  
1551 CTTCAACGCC GACGGCGAGC TGTGGAGGAA GCAGAGGAAG ACGGCGAGTT  
1601 TCGAGTTCGC CTCCAAGAAC CTGAGGGATT TCAGCGCCAT TGTGTTTCAGA  
1651 GAGTACTCCC TGAAGCTGTC GGGTATACTG AGCCAGGCAT CCAAGGCAGG  
1701 CAAAGTTGTG GACATGCAGG TGAGATCACT GCTCCCTTGC CATTGCCAAC  
1751 ATGAGCATTT CAACCTGAGA CACGAGAGCT ACCTTGCCGA TTCAGGAACT  
1801 TTACATGAGG ATGACGCTGG ACTCCATCTG CAAGGTTGGG TTCGGGGTTCG  
1851 AGATCGGCAC GCTGTCGCCG GATCTCCCCG AGAACAGCTT CGCGCAGGCG  
1901 TTCGATGCCG CCAACATCAT CGTCACGCTG CGGTTTCATCG ACCCGCTGTG  
1951 GCGCATCAAG AGGTTCTTCC ACGTCGGGTC AGAGGCCCTC CTAGCGCAGA  
2001 GCATCAAGCT CGTGGACGAG TTCACCTACA GCGTGATCCG CCGGAGGAAG  
2051 GCCGAGATCG TCGAGGCCCG GGCCAGCGGC AAACAGGAGA AGGTACGTGC  
2101 ACATGACTGT TTCGATTCTT CAGTTCATCG TCTTGGCCGG GATGGACCTG  
2151 ATCCTGATTG ATTATATATC CGTGTGACTT GTGAGGACAA ATTAAAATGG  
2201 GCAGATGAAG CACGACATCC TGTCACGGTT CATCGAGCTA GGCGAGGCCG  
2251 GCGACGACGG CGGCGGCTTC GGGGACGACA AGAGCCTCCG GGACGTGGTG  
2301 CTCAACTTCG TGATCGCCGG GCGGGACACG ACGGCGACGA CGCTGTCTGTG  
2351 GTTCACGCAC ATGGCCATGT CCCACCCGGA CGTGGCCGAG AAGCTGCGCC  
2401 GCGAGCTGTG CGCGTTCGAG GCGGAGCGCG CGCGCGAGGA GGGCGTCGCG  
2451 CTCGTGCCCT GCGGCGGCGC TGACGCCGAC GACAAGGCGT TCGCCGCCCG  
2501 CGTGGCGCAG TTCGCGGGCC TCCTCACCTA CGACAGCCTC GGCAAGCTGG  
2551 TCTACCTCCA CGCCTGCGTC ACCGAGACGC TCCGCCTGTA CCCC GCCGTC  
2601 CCTCAGGTGA GCGCGCCCGA CACGCGACCT CCGGTCCAGA GCACAGCATG  
2651 CAGTGAGTGG ACCTGAATGC AATGCACATG CACTTGCGCG CGCGCAGGAC  
2701 CCCAAGGGGA TCCTGGAGGA CGACGTGCTG CCGGACGGGA CGAAGGTGAG  
2751 GGCCGGCGGG ATGGTGACGT ACGTGCCCTA CTCGATGGGG CGGATGGAGT

FIG. 5B

2801 ACAACTGGGG CCCCGACGCG GCGAGCTTCC GGCCGGAGCG GTGGATCAAC  
2851 GAGGATGGCG CGTTCCGCAA CGCGTCGCCG TTCAAGTTCA CGGCGTTCCA  
2901 GGCGGGGCCG AGGATCTGCC TGGGCAAGGA CTCGGCGTAC CTGCAGATGA  
2951 AGATGGCGCT GGCCATCCTC TTGCGCTTCT ACAGCTTCCG GCTGCTGGAG  
3001 GGGCACCCGG TGCAGTACCG CATGATGACC ATCCTCTCCA TGGCGCACGG  
3051 CCTCAAGGTC CGCGTCTCTA GGGCCGTCTG ATGTCATGGC GATTTGGGAT  
3101 ATCATCCCGC TTAATCCTTA AAAATTTGCA TGCATGCATG TAAGGGAAAG  
3151 CGATGGGTTT CATTGGTGGC TTGGCTTAAG CCTTAAAAC TCCGTCGGGT  
3201 CTTGCGAACC ACCACATCAC TAGTGTTTTG TACTCTACTC CTCAGTGGAA  
3251 GTGTAGTGAC AGCATAACAAG TTCATCATAT ATATTATCCT CTTTCTTCGC  
3301 CGGATGCTTC CCGGGACCTT TTGGAGACCA TTAGTGACAG GCGTGTGAAA  
3351 AAAAGGCTTC TTCTGCGGCG AAGTTTTGGG TTCAGAGTCT TGGCGTCTTT  
3401 GCAGCAGAAA AAAGGTTTGG AAGGATCTGA ACCCTGAACC GAAAATGGCT  
3451 TCGGAAATAT GCTCGCATCG GGGCGGGGCC GTCACTCGGG ATGACGACAA  
3501 GCCCACAAGC AGTGAGAGCG AAGCGATCTT TGGAGTTTGG AGACACTCTC  
3551 GGACCCCTCG GCGCTCCGCG AGCTCATCTT CGCCTCCTCT GTCGTGTCCG  
3601 TGGCGGCACC GCGCCCGCCC GCCTCGTGTT CGACCAAATC CCGCGCCCCG  
3651 ACCGGTTCGT GTACAACACC CTCATCCGCG GCGCCGCGCG CAGTGACACG  
3701 CCCCGGGACG CCGTATACAT CTATAAATCA TGGTATTGTA CTTTATTTTC  
3751 AAACGGCCTT AACACAACCA TATTTTTATG GTAAACACGT TCAAAATTGA  
3801 CACAAATTTA AAACAGGCAC AAACCGTAGC TAAACATAAG AGAATGAGAG  
3851 ACAACCCAAA GGTTAGAGAT GAAATAAGCT GAGTAAACGA CGAATTC

FIG. 5C



1051 TCCATCACTTGTAGACTGGACCCTTCATCAAGAGCACCATGGAGGAAGCT 1100  
 | | || | |||||  
 1 .....GAATTCGGCACGAGGGAAGCT 21

1101 CACATCACGCCGGCGACGCCATCGCCATTCTTCCCCTAGCAGGGCCTCA 1150  
 ||| |||||  
 22 CACCTCACGCCGGCGACGCCATCGCCATTCTTCCCCTAGCAGGGCCTCA 71

1151 CAAGTACATCGCGCTCCTCCTGGTTGTCCTCTCATGGATCCTGGTCCAGA 1200  
 |||||  
 72 CAAGTACATCGCGCTCCTTCTGGTTGTCCTCTCATGGATCCTGGTCCAGA 121

1201 GGTGGAGCCTGAGGAAGCAGAAAGGCCCGAGATCATGGCCAGTCATCGGT 1250  
 |||||  
 122 GGTGGAGCCTGAGGAAGCAGAAAGGCCCGAGATCATGGCCAGTCATCGGC 171

1251 GCAACGGTGGAGCAGCTGAGGAACTACCACCGGATGCACGACTGGCTTGT 1300  
 |||||  
 172 GCAACGGTGGAGCAGCTGAGGAACTACCACCGGATGCACGACTGGCTTGT 221

1301 CGGGTACCTGTCACGGCACAGGACAGTGACCGTTCGACATGCCGTTCACTT 1350  
 |||||  
 222 CGGGTACCTGTCACGGCACAGGACAGTGACCGTTCGACATGCCGTTCACTT 271

1351 CCTACACCTACATCGCTGACCCGGTGAATGTCGAGCATGTCCTCAAGACT 1400  
 |||||  
 272 CCTACACCTACATCGCTGACCCGGTGAATGTCGAGCATGTCCTCAAGACT 321

1401 AACTTCACCAATTACCCCAAGGTAAATGACCTGAACTCACTGATGTTTCAG 1450  
 |||||  
 322 AACTTCACCAATTACCCCA..... 340

.

.

1501 TAGGGAATCGTGTACAGATCCTACATGGACGTGCTCCTCGGTGACGGCAT 1550  
 |||||  
 341 .AGGGAATCGTGTACAGATCCTACATGGACGTGCTCCTCGGTGACGGCAT 389

1551 CTTCAACGCCGACGGCGAGCTGTGGAGGAAGCAGAGGAAGACGGCGAGTT 1600  
 |||||  
 390 CTTCAACGCCGACGGCGAGCTGTGGAGGAAGCAGAGGAAGACGGCGAGTT 439

1601 TCGAGTTCGCCTCCAAGAACCTGAGGGATTTCAGCGCCATTGTGTTTCAGA 1650  
 |||||  
 440 TCGAGTTCGCCTCCAAGAACCTGAGGGATTTCAGCGCCATTGTGTTTCAGA 489

1651 GAGTACTCCCTGAAGCTGTCGGGTATACTGAGCCAGGCATCCAAGGCAGG 1700  
 |||||  
 490 GAGTACTCCCTGAAGCTGTCGGGTATACTGAGCCAGGCATCCAAGGCAGG 539

1701 CAAAGTTGTGGACATGCAGGTGAGATCACTGCTCCCTTGCCATTGCCAAC 1750  
 |||||  
 540 CAAAGTTGTGGACATG.....

FIG. 6A





2501 CGTGGCGCAGTTCGCGGGCCTCCTCACCTACGACAGCCTCGGCAAGCTGG 2550  
|||||  
1152 CGTGGCGCAGTTCGCGGGCCTCCTCACCTACGACAGCCTCGGCAAGCTGG 1201  
2551 TCTACCTCCACGCCTGCGTCACCGAGACGCTCCGCCTGTACCCCGCCGTC 2600  
|||||  
1202 TCTACCTCCACGCCTGCGTCACCGAGACGCTCCGCCTGTACCCCGCCGTC 1251  
2601 CCTCAGGTGAGCGCGCCCGACACGCGACCTCCGGTCCAGAGCACAGCATG 2650  
|||  
1252 CCT..... 1254  
2651 CAGTGAGTGGACCTGAATGCAATGCACATGCACTTGCGCGCGCGCAGGAC 2700  
|||||  
1255 .....CAGGAC 1260  
2701 CCCAAGGGGATCCTGGAGGACGACGTGCTGCCGGACGGGACGAAGGTGAG 2750  
|||||  
1261 CCCAAGGGGATCCTGGAGGACGACGTGCTGCCGGACGGGACGAAGGTGAG 1310  
2751 GGCCGGCGGGATGGTGACGTACGTGCCCTACTCGATGGGGCGGATGGAGT 2800  
|||||  
1311 GGCCGGCGGGATGGTGACGTACGTGCCCTACTCGATGGGGCGGATGGAGT 1360  
2801 ACAACTGGGGCCCCGACGCGGCGAGCTTCCGGCCGGAGCGGTGGATCAAC 2850  
|||||  
1361 ACAACTGGGGCCCCGACGCGGCGAGCTTCCGGCCGGAGCGGTGGATCAAC 1410  
2851 GAGGATGGCGCGTTCGCAACGCGTCGCCGTTCAAGTTCACGGCGTTCCA 2900  
|||||  
1411 GAGGATGGCGCGTTCGCAACGCGTCGCCGTTCAAGTTCACGGCGTTCCA 1460  
2901 GGCGGGGCCGAGGATCTGCCTGGGCAAGGACTCGGCGTACCTGCAGATGA 2950  
|||||  
1461 GGCGGGGCCGAGGATCTGCCTGGGCAAGGACTCGGCGTACCTGCAGATGA 1510  
2951 AGATGGCGCTGGCCATCCTCTTGCGCTTCTACAGCTTCCGGCTGCTGGAG 3000  
|||||  
1511 AGATGGCGCTGGCCATCCTCTTGCGCTTCTACAGCTTCCGGCTGCTGGAG 1560  
3001 GGGCACCCGGTGCAGTACCGCATGATGACCATCCTCTCCATGGCGCACGG 3050  
|||||  
1561 GGGCACCCGGTGCAGTACCGCATGATGACCATCCTCTCCATGGCGCACGG 1610  
3051 CCTCAAGGTCCGCGTCTCTAGGGCCGTCTGATGTCATGGCGATTG... 3096  
|||||  
1611 CCTCAAGGTCCGCGTCTCTAGGGCCGTCTGATGTCATGGCGATTGATA 1660  
3097 .GGATATCATCCCGCTTAATCC.....TTAAAAATT 3126  
||||| ||| |||||  
1661 TGGATATCGTCCCGCTTAATCCACGACAAATAACGCTCGTGTTACAAATT 1710  
3127 TGCATGCATGCATGTAAGGGAAAGCGATGGGTTTCATTGGTGGCTTGGCT 3176  
|||||  
1711 TGCATGCATGCATGTAAGGGAAAGCGATGGGTTTCATTGGTGGCTTGGCT 1760

FIG. 6C

3177 TAAGCCTTAAA<sup>.</sup>ACTCCGTCGGGTC<sup>.</sup>TTGCGAACCACCACATCACTAGTGT 3226  
|||||  
1761 TAAGCCTTAAA<sup>.</sup>ACTCCGTCGGGTC<sup>.</sup>TTGCGAACCACCACATCACTAGTGT 1810  
3227 TTTGTACTCTACTCCTCAGTGGAAAGTGTAGTGACAGCATACAAGTTCATC 3276  
|||||  
1811 TTTGTACTCTACTCCTCAGTGGAAAGTGTAGTGACAGCATACAAGTTCATC 1860  
3277 ATATATATTATCCTCTTTCTTCGCCGGATGCTTCCCGGGACCTTTTGGAG 3326  
||||| | |  
1861 ATATATATTATCCTCTTTCTTAAAA<sup>.</sup>AAAAAAAAAAAAAAAAAA<sup>.</sup>ACTCGAG.... 1906  
.  
.  
.

FIG. 6D



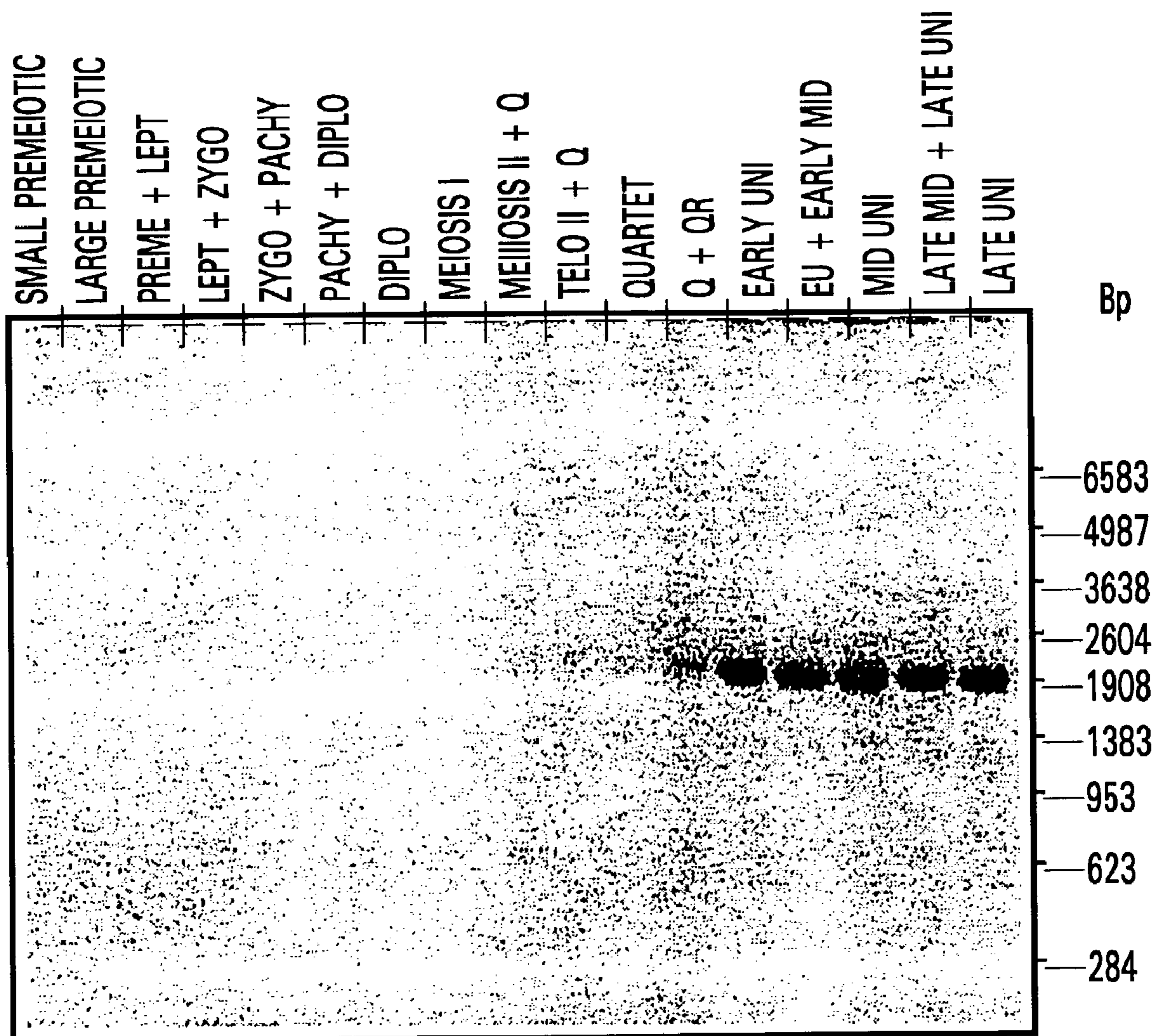


FIG. 7

1 GAATTCCAAG CGAGGCCCTT GTAGCAGAGA GTGTTGCTGA TGCAGTCGGC  
51 GGAAATGAGT GCGTGCTGAG AGCAACGCTG AGGGGTTCCA GGGATGGCAA  
101 TGGCTATGGC AATCGGCTAG AGGTGGAGGA CAAGGTGGTG AGGATTGGGA  
151 GGGCAACCTA TGGCAAGTTG GTGAAGAGGC ACGCAATGAG AGATCTATTC  
201 AGACTTACAC TGGATGCCGC CAACAAATTC AACCTTTAGA TTTTGATACT  
251 GTCACTCCTA CTTTATTCCT TGGTTGGGCA ACTTCCAATA GGCTCATGTT  
301 AATCAATGAT TAGTGATTAT TCAGCAAATA TTCTTGTTTG TTTGACATTT  
351 ATAATATGTG GGGTGAGACG GATTAAATAT CATCCATGAG AGCTTTATCT  
401 TCATGCTCTC TTGATTTTGG TTCAGATCA TTCTTTCAGT GTTCACAAGA  
451 ATTTTCTCAG TTTGGTCCAT GTAATTTTGT AAGTGAGGTT CCTTAAATTT  
501 CATTATGCTT CCTTTCTTTT CTAGACTAGC AACTGCATGA CTTTTCACTT  
551 TGGGTTCACA AATTGACTCA CAAGAAAACA AATTCACTTT TGGGTTCACA  
601 AATTCCTCTT CAGGATGTAC TTTTCACTTG AACTGTCATG TATAGGAACA  
651 AGGAATGGCT CAGTTTTTAA GGAACAATGT ACAGATTTCA TTTCAGAACT  
701 CTTTCTGGTT GGTTGAGTTT CAGACTTTTT GTACCAAGCT GATGGATCAC  
751 AATACTTGTT TCCAAAGTCT GATAACAGAA ACTGGCAACT CCTAATTGAT  
801 AATAAAAAGA ATAAAATACA GTATCAGATA TCTCATTTTC TTGGTTGGCA  
851 GATCACAAA AGGAACACAA AGGCTAAGCC TCCTACTTGT TCGGGAGTTA  
901 GGTCAGGGAC ACCATATGAA TGAAAGAAAT CTTAATTTGG GGTCACACCA  
951 AGATTGTCTC TCTCGAGGTT GGGGGTCCC TAAGGTTGGT AGTAGCAATA  
1001 CCCAATATAT CACCTAACAA ACCCAATCCA TGCTACATAC ATACATAGCA  
1051 TCCATCACTT GTAGACTGGA CCCTTCATCA AGAGCACC**AT GG**

Fig. 8



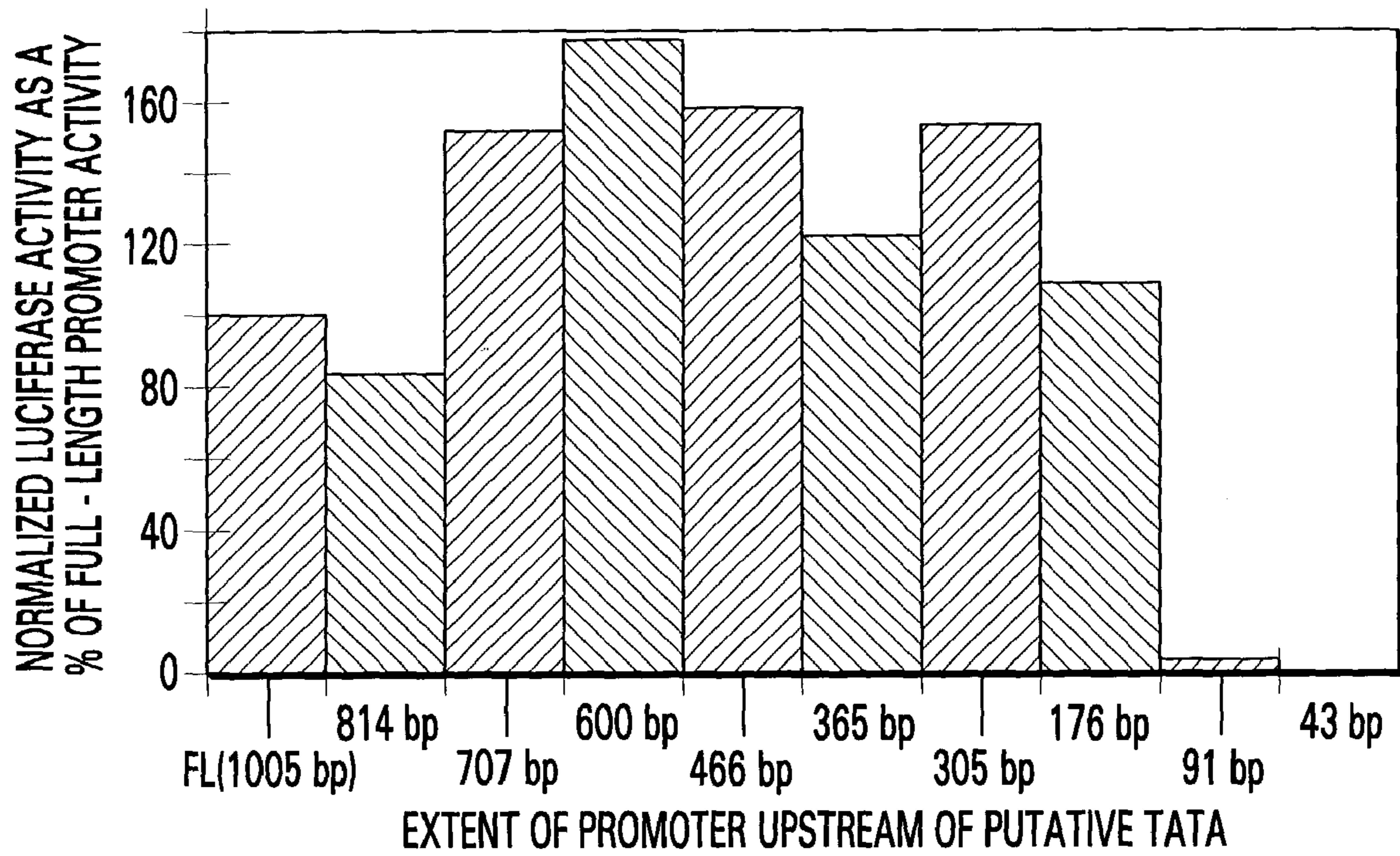


FIG. 9

-180 CCCCATCTCA TTTCTTGGT TGGCAGATCA CAAAAGGAA CACAAAGGCT  
           LS01           LS02           LS03           LS04           LS05  
 -130 AAGCCTCCTA CTTGTTCCGG AGTTAGGTCA GGGACACCAT ATGAATGAAA  
           LS06           LS07           LS08           LS09           LS10  
 -80  GAAATCTTAA TTTGGGGTCA CACCAAGATT GTCCTCTCG AGGTTGGGGG  
           LS11           LS12           LS13           LS14           LS15  
 -30  GTCCCTAAGG TTGGTAGTAG CAATACCCAA TATATCACCT AACAAACCCA  
           LS16           LS17           LS18  
 20  ATCCATGCTA CATAATACA TAGCATCCAT CACTTGTAGA CTGGACCCCTT  
  
 70  CATCAAGAGC ACCATGG

FIG.10

[ ] = DEL -176/-92  
 [ ] = DEL -89/-44  
 [ ] = DEL -39/-8



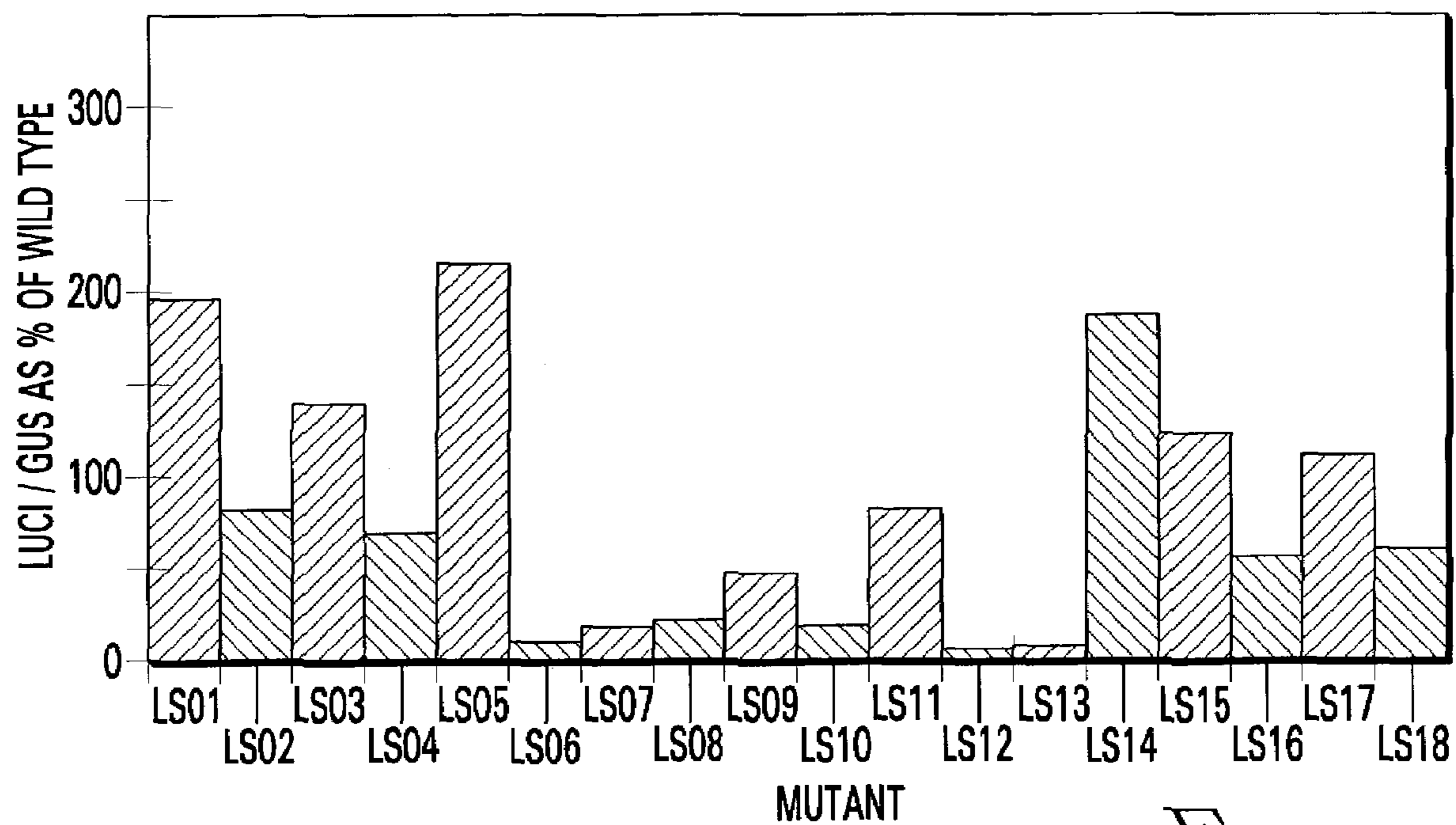


FIG. 11





```

105 ELYMRMTLDSICXVGFGVXIGTLSPLDPENSEFXQAFDAANIIVTLRFIHP 154
      ||| ||| ||| ||| ||| ||| ||| ||| ||| ||| ||| ||| ||| |||
187 ELYMRMTLDSICKVGFVEIGTLSPLDPENSEFAQAFDAANIITLRFIDP 236

155 LWRIQKFF 162
      |||.:||
237 LWRIKRFF 244
  
```

FIG. 12B

**PLANT MALE TISSUE-PREFERRED  
PROMOTOR, REGULATORY REGIONS AND  
METHODS OF USE IN MEDIATING PLANT  
MALE FERTILITY**

This application is a continuation of previously filed application U.S. Ser. No. 09/670,153, filed Sep. 26, 2000, now abandoned fully incorporated herein by reference.

BACKGROUND OF THE INVENTION

Development of hybrid plant breeding has made possible considerable advances in quality and quantity of crops produced. Increased yield and combination of desirable characteristics, such as resistance to disease and insects, heat and drought tolerance, along with variations in plant composition are all possible because of hybridization procedures. These procedures frequently rely heavily on providing for a male parent contributing pollen to a female parent to produce the resulting hybrid.

Field crops are bred through techniques that take advantage of the plant's method of pollination. A plant is self-pollinating if pollen from one flower is transferred to the same or another flower of the same plant. A plant is cross-pollinated if the pollen comes from a flower on a different plant.

In *Brassica*, the plant is normally self sterile and can only be cross-pollinated. In self-pollinating species, such as soybeans and cotton, the male and female plants are anatomically juxtaposed. During natural pollination, the male reproductive organs of a given flower pollinate the female reproductive organs of the same flower.

Maize plants (*Zea mays L.*) present a unique situation in that they can be bred by both self-pollination and cross-pollination techniques. Maize has male flowers, located on the tassel, and female flowers, located on the ear, on the same plant. It can self or cross pollinate. Natural pollination occurs in maize when wind blows pollen from the tassels to the silks that protrude from the tops of the incipient ears.

A reliable method of controlling fertility in plants would offer the opportunity for improved plant breeding. This is especially true for development of maize hybrids, which relies upon some sort of male sterility system and where a female sterility system would reduce production costs.

The development of maize hybrids requires the development of homozygous inbred lines, the crossing of these lines, and the evaluation of the crosses. Pedigree breeding and recurrent selection are two of the breeding methods used to develop inbred lines from populations. Breeding programs combine desirable traits from two or more inbred lines or various broad-based sources into breeding pools from which new inbred lines are developed by selfing and selection of desired phenotypes. A hybrid maize variety is the cross of two such inbred lines, each of which may have one or more desirable characteristics lacked by the other or which complement the other. The new inbreds are crossed with other inbred lines and the hybrids from these crosses are evaluated to determine which have commercial potential. The hybrid progeny of the first generation is designated  $F_1$ . In the development of hybrids only the  $F_1$  hybrid plants are sought. The  $F_1$  hybrid is more vigorous than its inbred parents. This hybrid vigor, or heterosis, can be manifested in many ways, including increased vegetative growth and increased yield.

Hybrid maize seed can be produced by a male sterility system incorporating manual detasseling. To produce hybrid seed, the male tassel is removed from the growing female

inbred parent, which can be planted in various alternating row patterns with the male inbred parent. Consequently, providing that there is sufficient isolation from sources of foreign maize pollen, the ears of the female inbred will be fertilized only with pollen from the male inbred. The resulting seed is therefore hybrid ( $F_1$ ) and will form hybrid plants.

Environmental variation in plant development can result in plants tasseling after manual detasseling of the female parent is completed. Or, a detasseler might not completely remove the tassel of a female inbred plant. In any event, the result is that the female plant will successfully shed pollen and some female plants will be self-pollinated. This will result in seed of the female inbred being harvested along with the hybrid seed which is normally produced. Female inbred seed is not as productive as  $F_1$  seed. In addition, the presence of female inbred seed can represent a germplasm security risk for the company producing the hybrid.

Alternatively, the female inbred can be mechanically detasseled by machine. Mechanical detasseling is approximately as reliable as hand detasseling, but is faster and less costly. However, most detasseling machines produce more damage to the plants than hand detasseling. Thus, no form of detasseling is presently entirely satisfactory, and a need continues to exist for alternatives which further reduce production costs and to eliminate self-pollination of the female parent in the production of hybrid seed.

A reliable system of genetic male sterility would provide advantages. The laborious detasseling process can be avoided in some genotypes by using cytoplasmic male-sterile (CMS) inbreds. In the absence of a fertility restorer gene, plants of a CMS inbred are male sterile as a result of factors resulting from the cytoplasmic, as opposed to the nuclear, genome. Thus, this characteristic is inherited exclusively through the female parent in maize plants, since only the female provides cytoplasm to the fertilized seed. CMS plants are fertilized with pollen from another inbred that is not male-sterile. Pollen from the second inbred may or may not contribute genes that make the hybrid plants male-fertile. Usually seed from detasseled normal maize and CMS produced seed of the same hybrid must be blended to insure that adequate pollen loads are available for fertilization when the hybrid plants are grown and to insure cytoplasmic diversity.

There can be other drawbacks to CMS. One is an historically observed association of a specific variant of CMS with susceptibility to certain crop diseases. This problem has discouraged widespread use of that CMS variant in producing hybrid maize and has had a negative impact on the use of CMS in maize in general.

One type of genetic sterility is disclosed in U.S. Pat. Nos. 4,654,465 and 4,727,219 to Brar, et al. However, this form of genetic male sterility requires maintenance of multiple mutant genes at separate locations within the genome and requires a complex marker system to track the genes and make use of the system convenient. Patterson also described a genic system of chromosomal translocations which can be effective, but which are complicated. (See, U.S. Pat. Nos. 3,861,709 and 3,710,511.)

Many other attempts have been made to improve on these drawbacks. For example, Fabijanski, et al., developed several methods of causing male sterility in plants (see EPO 89/3010153.8 publication no. 329,308 and PCT application PCT/CA90/00037 published as WO 90/08828). One method includes delivering into the plant a gene encoding a cytotoxic substance associated with a male tissue specific promoter. Another involves an antisense system in which a gene critical to fertility is identified and an antisense to the gene



inserted in the plant. Mariani, et al. also shows several cytotoxic antisense systems. See EP 89/401, 194. Still other systems use "repressor" genes which inhibit the expression of another gene critical to male sterility. PCT/GB90/00102, published as WO 90/08829.

A still further improvement of this system is one described at U.S. Pat. No. 5,478,369 (incorporated herein by reference) in which a method of imparting controllable male sterility is achieved by silencing a gene native to the plant that is critical for male fertility and replacing the native DNA with the gene critical to male fertility linked to an inducible promoter controlling expression of the gene. The plant is thus constitutively sterile, becoming fertile only when the promoter is induced and its attached male fertility gene is expressed.

As noted, an essential aspect of much of the work underway with male sterility systems is the identification of genes impacting male fertility.

Such a gene can be used in a variety of systems to control male fertility including those described herein. Previously, a male fertility gene has been identified in *Arabidopsis thaliana* and used to produce a male sterile plant. Aarts, et al., "Transposon Tagging of a Male Sterility Gene in *Arabidopsis*", *Nature*, 363:715-717 (Jun. 24, 1993). U.S. Pat. No. 5,478,369 discloses therein one such gene impacting male fertility. In the present invention the inventors provide novel DNA molecules and the amino acid sequence encoded that are critical to male fertility in plants. These can be used in any of the systems where control of fertility is useful, including those described above.

Thus, one object of the invention is to provide a nucleic acid sequence, the expression of which is critical to male fertility in plants.

Another object of the invention is to provide a DNA molecule encoding an amino acid sequence, the expression of which is critical to male fertility in plants.

Yet another object of the invention is to provide a promoter of such nucleotide sequence and its essential sequences.

A further object of the invention is to provide a method of using such DNA molecules to mediate male fertility in plants.

Further objects of the invention will become apparent in the description and claims that follow.

#### SUMMARY OF THE INVENTION

This invention relates to nucleic acid sequences, and, specifically, DNA molecules and the amino acid encoded by the DNA molecules, which are critical to male fertility. A promoter of the DNA is identified, as well as its essential sequences. It also relates to use of such DNA molecules to mediate fertility in plants.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1. is a locus map of the male sterility gene SBMu200.

FIG. 2. is a gel of a Southern Blot analysis of ECORI digested DNA from a Mu family segregating for male sterility and hybridized with a Mu8 probe.

FIG. 3. is a Northern Blot analysis gel hybridized with a PstI fragment isolated from the SBMu2003.1 clone.

FIG. 4A-4D is the sequence of SBMu200 (The cDNA is SEQ ID NO: 1, the protein is SEQ ID NO: 2).

FIG. 5A-5C is the genomic SBMu200 sequence (also referred to as SEQ ID NO: 7).

FIG. 6A-6D is a comparison of the genomic SBMu200 sequence (SEQ ID NO: 7) with the cDNA of SBMu200 (SEQ ID NO: 1).

FIG. 7. is a Northern analysis gel showing developmental gene expression in microsporogenesis of the gene SBMu200.

FIG. 8 is the full length promoter of SBMu200 (SEQ ID No. 5)

FIG. 9. is a bar graph showing luciferase activity after deletions of select regions of the SBMu200 promoter.

FIG. 10 shows an essential region of the SBMu200 promoter (SEQ ID NO. 6).

FIG. 11 is a bar graph showing luciferase activity after substitution by restriction site linker scanning of select small (9-10 bp) regions of the SBMu200 essential promoter fragment.

FIG. 12A and B is a comparison of SBMu200 sorghum tassel nucleotide sequence (SEQ ID NO. 3) and SBMu200 maize cDNA 8.1 (SEQ ID NO: 1), and sorghum tassel protein sequence (SEQ ID NO: 4) and SBMu200 maize protein (SEQ ID NO: 2).

#### DISCLOSURE OF THE INVENTION

All references referred to are incorporated herein by reference.

Unless defined otherwise, all technical and scientific terms used herein have the same meaning as commonly understood by one of ordinary skill in the art to which this invention belongs. Unless mentioned otherwise, the techniques employed or contemplated therein are standard methodologies well known to one of ordinary skill in the art. The materials, methods and examples are illustrative only and not limiting.

Genetic male sterility results from a mutation, suppression, or other impact to one of the genes critical to a specific step in microsporogenesis, the term applied to the entire process of pollen formulation. These genes can be collectively referred to as male fertility genes (or, alternatively, male sterility genes). There are many steps in the overall pathway where gene function impacts fertility. This seems aptly supported by the frequency of genetic male sterility in maize. New alleles of male sterility mutants are uncovered in materials that range from elite inbreds to unadapted populations. To date, published genetic male sterility research has been mostly descriptive. Some efforts have been made to establish the mechanism of sterility in maize, but few have been satisfactory. This should not be surprising given the number of genes that have been identified as being responsible for male sterility. One mechanism is unlikely to apply to all mutations.

At U.S. Pat. No. 5,478,369 there is described a method by which a male sterility gene was tagged on maize chromosome 9. Previously, the only described male sterility gene on chromosome 9 was MS2, which has never been cloned and sequenced. See Albertsen, M. and Phillips, R. L., "Developmental Cytology of 13 Genetic Male Sterile Loci in Maize" *Canadian Journal of Genetics & Cytology* 23:195-208 (January 1981). The only fertility gene cloned before that had been the *Arabidopsis* gene described at Aarts, et al., supra.

The SBMu200 gene described herein is located on maize chromosome 1 and its dominant allele is critical to male fertility. The locus map is represented at FIG. 1. It can be used in the systems described above, and other systems impacting male fertility.



The maize family cosegregating for sterility was named SBMu200 and was found to have an approximately 5.5 Kb EcoRI fragment that hybridized with a Mu8 probe. A genomic clone from the family was isolated which contained a Mu8 transposon. A probe made from DNA bordering the transposon was found to hybridize to the same ~5.5 Kb EcoRI fragment. This probe was used to isolate cDNA clones from a tassel cDNA library. The cDNA for SBMu200 is 1906 bp, and the Mu insertion occurred in exon 1 of the gene. FIG. 9 (discussed further below) represents the genomic nucleotide sequence. Expression patterns, as determined by Northern analysis, show tassel specificity with peak expression at about the quartet to quartet release stages of microsporogenesis.

Further, it will be evident to one skilled in the art that variations, mutations, derivations including fragments smaller than the entire sequence set forth may be used which retain the male sterility controlling properties of the gene. One of ordinary skill in the art can readily assess the variant or fragment by introduction into plants homozygous for a stable male sterile allele of MS26, followed by observation of the plant's male tissue development.

The invention also includes those nucleotide sequences which selectively hybridize to the SBMu200 nucleotide sequences under stringent conditions. In referring to a sequence that "selectively hybridizes" with SBMu200, the term includes reference to hybridization, under stringent hybridization conditions, of a nucleic acid sequence to the specified nucleic acid target sequence to a detectably greater degree (e.g., at least 2-fold over background) than its hybridization to non-target nucleic acid.

The terms "stringent conditions" or "stringent hybridization conditions" includes reference to conditions under which a probe will hybridize to its target sequence, to a detectably greater degree than to other sequences (e.g., at least 2-fold over background). Stringent conditions are target-sequence-dependent and will differ depending on the structure of the polynucleotide. By controlling the stringency of the hybridization and/or washing conditions, target sequences can be identified which are 100% complementary to a probe (homologous probing). Alternatively, stringency conditions can be adjusted to allow some mismatching in sequences so that lower degrees of similarity are detected (heterologous probing). Generally, probes of this type are in a range of about 1000 nucleotides in length to about 250 nucleotides in length.

An extensive guide to the hybridization of nucleic acids is found in Tijssen, *Laboratory Techniques in Biochemistry and Molecular Biology—Hybridization with Nucleic Acid Probes*, Part I, Chapter 2 "Overview of principles of hybridization and the strategy of nucleic acid probe assays", Elsevier, New York (1993); and *Current Protocols in Molecular Biology*, Chapter 2, Ausubel, et al., Eds., Greene Publishing and Wiley-Interscience, New York (1995). See also Sambrook et al. (1989) *Molecular Cloning: A Laboratory Manual* (2nd ed. Cold Spring Harbor Laboratory, Cold Spring Harbor, N.Y.).

In general, sequences that correspond to the nucleotide sequences of the present invention and hybridize to the nucleotide sequence disclosed herein will be at least 50% homologous, 70% homologous, and even 85% homologous or more with the disclosed sequence. That is, the sequence similarity between probe and target may range, sharing at least about 50%, about 70%, and even about 85% sequence similarity.

Specificity is typically the function of post-hybridization washes, the critical factors being the ionic strength and

temperature of the final wash solution. Generally, stringent wash temperature conditions are selected to be about 5° C. to about 2° C. lower than the melting point (T<sub>m</sub>) for the specific sequence at a defined ionic strength and pH. The melting point, or denaturation, of DNA occurs over a narrow temperature range and represents the disruption of the double helix into its complementary single strands. The process is described by the temperature of the midpoint of transition, T<sub>m</sub>, which is also called the melting temperature. Formulas are available in the art for the determination of melting temperatures.

Preferred hybridization conditions for the nucleotide sequence of the invention include hybridization at 42° C. in 50%(w/v) formamide, 6×SSC, 0.5% (w/v) SDS, 100(g/ml salmon sperm DNA. Exemplary low stringency washing conditions include hybridization at 42° C. in a solution of 2×SSC, 0.5% (w/v) SDS for 30 minutes and repeating. Exemplary moderate stringency conditions include a wash in 2×SSC, 0.5% (w/v) SDS at 50° C. for 30 minutes and repeating. Exemplary high stringency conditions include a wash in 2×SSC, 0.5% (w/v) SDS, at 65° C. for 30 minutes and repeating. Sequences that correspond to the promoter of the present invention may be obtained using all the above conditions. For purposes of defining the invention, the high stringency conditions are used.

Methods of aligning sequences for comparison are well-known in the art. Gene comparisons can be determined by conducting BLAST (Basic Local Alignment Search Tool; Altschul, S. F., et al., (1993) *J. Mol. Biol.* 215:403–410; see also [www.ncbi.nlm.nih.gov/BLAST/](http://www.ncbi.nlm.nih.gov/BLAST/)) searches under default parameters for identity to sequences contained in the BLAST "GENEMBL" database. A sequence can be analyzed for identity to all publicly available DNA sequences contained in the GENEMBL database using the BLASTN algorithm under the default parameters. Identity to the sequence of the present invention would mean a polynucleotide sequence having at least 65% sequence identity, more preferably at least 70% sequence identity, more preferably at least 75% sequence identity, more preferably at least 80% identity, more preferably at least 85% sequence identity, more preferably at least 90% sequence identity and most preferably at least 95% sequence identity.

Promoter regions can be readily identified by one skilled in the art. The putative start codon containing the ATG motif is identified and upstream from the start codon is the presumptive promoter. By "promoter" is intended a regulatory region of DNA usually comprising a TATA box capable of directing RNA polymerase II to initiate RNA synthesis at the appropriate transcription initiation site for a particular coding sequence. A promoter can additionally comprise other recognition sequences generally positioned upstream or 5' to the TATA box, referred to as upstream promoter elements, which influence the transcription initiation rate. It is recognized that having identified the nucleotide sequences for the promoter region disclosed herein, it is within the state of the art to isolate and identify further regulatory elements in the region upstream of the TATA box from the particular promoter region identified herein. Thus the promoter region disclosed herein is generally further defined by comprising upstream regulatory elements such as those responsible for tissue and temporal expression of the coding sequence, enhancers and the like. In the same manner, the promoter elements which enable expression in the desired tissue such as male tissue can be identified, isolated, and used with other core promoters to confirm male tissue-preferred expression.

The isolated promoter sequence of the present invention can be modified to provide for a range of expression levels



of the heterologous nucleotide sequence. Less than the entire promoter region can be utilized and the ability to drive anther-preferred expression retained. However, it is recognized that expression levels of mRNA can be decreased with deletions of portions of the promoter sequence. Thus, the promoter can be modified to be a weak or strong promoter. Generally, by "weak promoter" is intended a promoter that drives expression of a coding sequence at a low level. By "low level" is intended levels of about 1/10,000 transcripts to about 1/100,000 transcripts to about 1/500,000 transcripts. Conversely, a strong promoter drives expression of a coding sequence at a high level, or at about 1/10 transcripts to about 1/100 transcripts to about 1/1,000 transcripts. Generally, at least about 30 nucleotides of an isolated promoter sequence will be used to drive expression of a nucleotide sequence. It is recognized that to increase transcription levels, enhancers can be utilized in combination with the promoter regions of the invention. Enhancers are nucleotide sequences that act to increase the expression of a promoter region. Enhancers are known in the art and include the SV40 enhancer region, the 35S enhancer element, and the like.

Sequences which hybridize to the sequences of the present invention are within the scope of the invention. Sequences that correspond to the promoter sequences of the present invention and hybridize to the promoter sequences disclosed herein will be at least 50% homologous, 70% homologous, and even 85% homologous or more with the disclosed sequence.

Smaller fragments may yet contain the regulatory properties of the promoter so identified and deletion analysis is one method of identifying essential regions. Deletion analysis can occur from both the 5' and 3' ends of the regulatory region. Fragments can be obtained by site-directed mutagenesis, mutagenesis using the polymerase chain reaction and the like. (See, *Directed Mutagenesis: A Practical Approach* IRL Press (1991)). The 3' deletions can delineate the essential region and identify the 3' end so that this region may then be operably linked to a core promoter of choice. Once the essential region is identified, transcription of an exogenous gene may be controlled by the essential region plus a core promoter. The core promoter can be any one of known core promoters such as the Cauliflower Mosaic Virus 35S or 19S promoter (U.S. Pat. No. 5,352,605), ubiquitin promoter (U.S. Pat. No. 5,510,474) the IN2 core promoter (U.S. Pat. No. 5,364,780) or a Figwort Mosaic Virus promoter (Gruber, et al. "Vectors for Plant Transformation" *Methods in Plant Molecular Biology and Biotechnology*) et al. eds, CRC Press pp. 89-119 (1993)).

The regulatory region of SBMU200 has been identified as including the 1005 bp region upstream of the putative TATA box. See FIG. 8. Further, using the procedures outlined above, it has been determined that an essential region of the promoter includes the -180 bp upstream of the TATA box and specifically, the -176 to -44 region is particularly essential.

Promoter sequences from other plants may be isolated according to well-known techniques based on their sequence homology to the promoter sequence set forth herein. In these techniques, all or part of the known promoter sequence is used as a probe which selectively hybridizes to other sequences present in a population of cloned genomic DNA fragments (i.e. genomic libraries) from a chosen organism. Methods are readily available in the art for the hybridization of nucleic acid sequences.

The entire promoter sequence or portions thereof can be used as a probe capable of specifically hybridizing to

corresponding promoter sequences. To achieve specific hybridization under a variety of conditions, such probes include sequences that are unique and are preferably at least about 10 nucleotides in length, and most preferably at least about 20 nucleotides in length. Such probes can be used to amplify corresponding promoter sequences from a chosen organism by the well-known process of polymerase chain reaction (PCR). This technique can be used to isolate additional promoter sequences from a desired organism or as a diagnostic assay to determine the presence of the promoter sequence in an organism. Examples include hybridization screening of plated DNA libraries (either plaques or colonies; see e.g. Innis et al., eds., (1990) *PCR Protocols, A Guide to Methods and Applications*, Academic Press).

Further, the promoter of the present invention can be linked with nucleotide sequences other than the SBMU200 gene to express other heterologous nucleotide sequences. The nucleotide sequence for the promoter of the invention, as well as fragments and variants thereof, can be provided in expression cassettes along with heterologous nucleotide sequences for expression in the plant of interest, more particularly in the male tissue of the plant. Such an expression cassette is provided with a plurality of restriction sites for insertion of the nucleotide sequence to be under the transcriptional regulation of the promoter. These expression cassettes are useful in the genetic manipulation of any plant to achieve a desired phenotypic response. Examples of other nucleotide sequences which can be used as the exogenous gene of the expression vector with the SBMU200 promoter include complementary nucleotidic units such as antisense molecules (callase antisense RNA, barnase antisense RNA and chalcone synthase antisense RNA, Ms45 antisense RNA), ribozymes and external guide sequences, an aptamer or single stranded nucleotides. The exogenous nucleotide sequence can also encode auxins, rol B, cytotoxins, diphtheria toxin, DAM methylase, avidin, or may be selected from a prokaryotic regulatory system. By way of example, Mariani, et al., *Nature*; Vol. 347; pp. 737; (1990), have shown that expression in the tapetum of either *Aspergillus oryzae* RNase-T1 or an RNase of *Bacillus amyloliquefaciens*, designated "barnase," induced destruction of the tapetal cells, resulting in male infertility. Quaas, et al., *Eur. J. Biochem.* Vol. 173: pp. 617 (1988), describe the chemical synthesis of the RNase-T1, while the nucleotide sequence of the barnase gene is disclosed in Hartley, *J. Molec. Biol.*; Vol. 202: pp. 913 (1988). The rolB gene of *Agrobacterium rhizogenes* codes for an enzyme that interferes with auxin metabolism by catalyzing the release of free indoles from indoxyl- $\beta$ -glucosides. Estruch, et al., *EMBO J.* Vol. 11: pp. 3125 (1991) and Spena, et al., *Theor. Appl. Genet.*; Vol. 84: pp. 520 (1992), have shown that the anther-specific expression of the rolB gene in tobacco resulted in plants having shriveled anthers in which pollen production was severely decreased and the rolB gene is an example of a gene that is useful for the control of pollen production. Slightom, et al., *J. Biol. Chem.* Vol. 261: pp. 108 (1985), disclose the nucleotide sequence of the rolB gene. DNA molecules encoding the diphtheria toxin gene can be obtained from the American Type Culture Collection (Rockville, Md.), ATCC No. 39359 or ATCC No. 67011 and see Fabijanski, et al., E.P. Appl. No. 90902754.2, "Molecular Methods of Hybrid Seed Production" for examples and methods of use. The DAM methylase gene is used to cause sterility in the methods discussed at U.S. Pat. No. 5,689,049 and PCT/US95/15229 Cigan, A. M. and Albertsen, M. C., "Reversible Nuclear Genetic System for Male Sterility in Transgenic Plants". Also see discussion of use of the avidin gene to cause sterility at U.S. Pat. No.



5,962,769 "Induction of Male Sterility in Plants by Expression of High Levels of Avidin" by Albertsen et al.

The invention includes vectors with the SBMu200 gene. A vector is prepared comprising the SBMu200 gene, a promoter that will drive expression of the gene in the plant and a terminator region. As noted, the promoter in the construct may be the native promoter or a substituted promoter which will provide expression in the plant. Selection of the promoter will depend upon the use intended of the gene. The promoter in the construct may be an inducible promoter, so that expression of the sense or antisense molecule in the construct can be controlled by exposure to the inducer.

Other components of the vector may be included, also depending upon intended use of the gene. Examples include selectable markers, targeting or regulatory sequences, stabilizing or leader sequences, etc. General descriptions and examples of plant expression vectors and reporter genes can be found in Gruber, et al., "Vectors for Plant Transformation" in *Method in Plant Molecular Biology and Biotechnology*, Glick et al eds; CRC Press pp. 89-119 (1993). The selection of an appropriate expression vector will depend upon the host and the method of introducing the expression vector into the host. The expression cassette will also include at the 3' terminus of the heterologous nucleotide sequence of interest, a transcriptional and translational termination region functional in plants. The termination region can be native with the promoter nucleotide sequence of the present invention, can be native with the DNA sequence of interest, or can be derived from another source. Convenient termination regions are available from the Ti-plasmid of *A. tumefaciens*, such as the octopine synthase and nopaline synthase termination regions. See also, Guerineau et al. *Mol. Gen. Genet.* 262:141-144 (1991); Proudfoot *Cell* 64:671-674 (1991); Sanfacon et al. *Genes Dev.* 5:141-149 (1991); Mogen et al. *Plant Cell* 2:1261-1272 (1990); Munroe et al. *Gene* 91:151-158 (1990); Ballas et al. *Nucleic Acids Res.* 17:7891-7903 (1989); Joshi et al. *Nucleic Acid Res.* 15:9627-9639 (1987).

The expression cassettes can additionally contain 5' leader sequences. Such leader sequences can act to enhance translation. Translation leaders are known in the art and include: picornavirus leaders, for example, EMCV leader (Encephalomyocarditis 5' noncoding region), Elroy-Stein et al. *Proc. Nat. Acad. Sci. USA* 86:6126-6130 (1989); potyvirus leaders, for example, TEV leader (Tobacco Etch Virus), Allison et al.; MDMV leader (Maize Dwarf Mosaic Virus), *Virology* 154:9-20 (1986); human immunoglobulin heavy-chain binding protein (BiP), Macejak et al. *Nature* 353:90-94 (1991); untranslated leader from the coat protein mRNA of alfalfa mosaic virus (AMV RNA 4), Jobling et al. *Nature* 325:622-625 (1987); Tobacco mosaic virus leader (TMV), Gallie et al. (1989) *Molecular Biology of RNA*, pages 237-256; and maize chlorotic mottle virus leader (MCMV) Lommel et al. *Virology* 81:382-385 (1991). See also Della-Cioppa et al. *Plant Physiology* 84:965-968 (1987). The cassette can also contain sequences that enhance translation and/or mRNA stability such as introns.

In those instances where it is desirable to have the expressed product of the heterologous nucleotide sequence directed to a particular organelle, particularly the plastid, amyloplast, or to the endoplasmic reticulum, or secreted at the cell's surface or extracellularly, the expression cassette can further comprise a coding sequence for a transit peptide. Such transit peptides are well known in the art and include, but are not limited to, the transit peptide for the acyl carrier protein, the small subunit of RUBISCO, plant EPSP syn-

these, and the like. One skilled in the art will readily appreciate the many options available in expressing a product to a particular organelle. For example, the barley alpha amylase sequence is often used to direct expression to the endoplasmic reticulum (Rogers, *J. Biol. Chem.* 260:3731-3738 (1985)). Use of transit peptides is well known (e.g., see U.S. Pat. Nos. 5,717,084; 5,728,925).

In preparing the expression cassette, the various DNA fragments can be manipulated, so as to provide for the DNA sequences in the proper orientation and, as appropriate, in the proper reading frame. Toward this end, adapters or linkers can be employed to join the DNA fragments or other manipulations can be involved to provide for convenient restriction sites, removal of superfluous DNA, removal of restriction sites, or the like. For this purpose, in vitro mutagenesis, primer repair, restriction digests, annealing, and resubstitutions, such as transitions and transversions, can be involved.

As noted herein, the present invention provides vectors capable of expressing genes of interest under the control of the promoter. In general, the vectors should be functional in plant cells. At times, it may be preferable to have vectors that are functional in *E. coli* (e.g., production of protein for raising antibodies, DNA sequence analysis, construction of inserts, obtaining quantities of nucleic acids). Vectors and procedures for cloning and expression in *E. coli* are discussed in Sambrook et al. (*supra*).

The transformation vector comprising the promoter sequence of the present invention operably linked to a heterologous nucleotide sequence in an expression cassette, can also contain at least one additional nucleotide sequence for a gene to be cotransformed into the organism. Alternatively, the additional sequence(s) can be provided on another transformation vector.

Reporter genes can be included in the transformation vectors. Examples of suitable reporter genes known in the art can be found in, for example, Jefferson et al. (1991) in *Plant Molecular Biology Manual*, ed. Gelvin et al. (Kluwer Academic Publishers), pp. 1-33; DeWet et al. *Mol. Cell. Biol.* 7:725-737 (1987); Goff et al. *EMBO J.* 9:2517-2522 (1990); Kain et al. *BioTechniques* 19:650-655 (1995); and Chiu et al. *Current Biology* 6:325-330 (1996).

Selectable marker genes for selection of transformed cells or tissues can be included in the transformation vectors. These can include genes that confer antibiotic resistance or resistance to herbicides. Examples of suitable selectable marker genes include, but are not limited to, genes encoding resistance to chloramphenicol, Herrera Estrella et al. *EMBO J.* 2:987-992(1983); methotrexate, Herrera Estrella et al. *Nature* 303:209-213(1983); Meijer et al. *Plant Mol. Biol.* 16:807-820 (1991); hygromycin, Waldron et al. *Plant Mol. Biol.* 5:103-108 (1985); Zhijian et al. *Plant Science* 108: 219-227 (1995); streptomycin, Jones et al. *Mol. Gen. Genet.* 210:86-91(1987); spectinomycin, Bretagne-Sagnard et al. *Transgenic Res.* 5:131-137 (1996); bleomycin, Hille et al. *Plant Mol. Biol.* 7:171-176 (1990); sulfonamide, Guerineau et al. *Plant Mol. Biol.* 15:127-136(1990); bromoxynil, Stalker et al. *Science* 242:419-423 (1988); glyphosate, Shaw et al. *Science* 233:478-481(1986); phosphinothricin, DeBlock et al. *EMBO J.* 6:2513-2518 (1987).

The method of transformation/transfection is not critical to the instant invention; various methods of transformation or transfection are currently available. As newer methods are available to transform crops or other host cells they may be directly applied. Accordingly, a wide variety of methods have been developed to insert a DNA sequence into the genome of a host cell to obtain the transcription or transcript



and translation of the sequence to effect phenotypic changes in the organism. Thus, any method which provides for efficient transformation/transfection may be employed.

Methods for introducing expression vectors into plant tissue available to one skilled in the art are varied and will depend on the plant selected. Procedures for transforming a wide variety of plant species are well known and described throughout the literature. See, for example, Miki et al, "Procedures for Introducing Foreign DNA into Plants" in *Methods in Plant Molecular Biotechnology* supra; Klein et al, *Bio/Technology* 10:268 (1992); and Weising et al., *Ann. Rev. Genet.* 22: 421-477 (1988). For example, the DNA construct may be introduced into the genomic DNA of the plant cell using techniques such as microprojectile-mediated delivery, Klein et al., *Nature* 327: 70-73 (1987); electroporation, Fromm et al., *Proc. Natl. Acad. Sci.* 82: 5824 (1985); polyethylene glycol (PEG) precipitation, Paszkowski et al., *EMBO J.* 3: 2717-2722 (1984); direct gene transfer WO 85/01856 and EP No. 0 275 069; in vitro protoplast transformation U.S. Pat. No. 4,684,611; and microinjection of plant cell protoplasts or embryogenic callus. Crossway, *Mol. Gen. Genetics* 202:179-185 (1985). Co-cultivation of plant tissue with *Agrobacterium tumefaciens* is another option, where the DNA constructs are placed into a binary vector system. See e.g., U.S. Pat. No. 5,591,616; Ishida et al., "High Efficiency Transformation of Maize (*Zea mays* L.) mediated by *Agrobacterium tumefaciens*" *Nature Biotechnology* 14:745-750 (1996). The virulence functions of the *Agrobacterium tumefaciens* host will direct the insertion of the construct into the plant cell DNA when the cell is infected by the bacteria. See, for example Horsch et al., *Science* 233: 496-498 (1984), and Fraley et al., *Proc. Natl. Acad. Sci.* 80: 4803 (1983).

Standard methods for transformation of canola are described at Moloney et al. "High Efficiency Transformation of *Brassica napus* using *Agrobacterium* Vectors" *Plant Cell Reports* 8:238-242 (1989). Corn transformation is described by Fromm et al, *Bio/Technology* 8:833 (1990) and Gordon-Kamm et al, supra. *Agrobacterium* is primarily used in dicots, but certain monocots such as maize can be transformed by *Agrobacterium*. See supra and U.S. Pat. No. 5,550,318. Rice transformation is described by Hiei et al., "Efficient Transformation of Rice (*Oryza sativa* L.) Mediated by *Agrobacterium* and Sequence Analysis of the Boundaries of the T-DNA" *The Plant Journal* 6(2): 271-282 (1994, Christou et al, *Trends in Biotechnology* 10:239 (1992) and Lee et al, *Proc. Nat'l Acad. Sci. USA* 88:6389 (1991). Wheat can be transformed by techniques similar to those used for transforming corn or rice. Sorghum transformation is described at Casas et al, supra and sorghum by Wan et al, *Plant Physiol.* 104:37 (1994). Soybean transformation is described in a number of publications, including U.S. Pat. No. 5,015,580.

Further detailed description is provided below by way of instruction and illustration and is not intended to limit the scope of the invention.

#### EXAMPLE 1

##### Identification and Cosegregation of SBMu200

Families of plants from a mutator (Mu) population were identified that segregated for plants that were mostly male sterile, with none or only a few extruded abnormal anthers, none of which had pollen present. Male sterility is expected to result from those instances where a Mu element has randomly integrated into a gene responsible for some step in

microsporogenesis, disrupting its expression. Plants from a segregating F<sub>2</sub> family in which the male sterile mutation was designated SBMu200, were grown and classified for male fertility/sterility based on the above criteria. Leaf samples were taken and DNA subsequently isolated on approximately 20 plants per phenotypic classification, that is male fertility vs. male sterility.

Southern analysis was performed to confirm association of Mu with sterility. Southern analysis is a well known technique to those skilled in the art. This common procedure involves isolating the plant DNA, cutting with restriction endonucleases, fractioning the cut DNA by molecular weight on an agarose gel, and transferring to nylon membranes to fix the separated DNA. These membranes are subsequently hybridized with a probe fragment that was radioactively labeled with P<sup>32</sup>P-dCTP, and washed in an SDS solution. Southern, E., "Detection of Specific Sequences Among DNA Fragments by Gel Electrophoresis," *J. Mol. Biol.* 98:503-317 (1975). Plants from a segregating F<sub>2</sub> SBMu200 family were grown and classified for male fertility/sterility. Leaf samples and subsequent DNA isolation was conducted on approximately 20 plants per phenotypic classification. DNA (~7 ug) from 5 fertile and 12 sterile plants was digested with EcoRI and electrophoresed through a 0.75% agarose gel. The digested DNA was transferred to nylon membrane via Southern transfer. The membrane was hybridized with an internal fragment from the Mu8 transposon. Autoradiography of the membrane revealed cosegregation of a 5.5 Kb EcoRI fragment with the sterility phenotype as shown in FIG. 2. This EcoRI band segregated in the fertile plants suggesting a heterozygous wild type condition for the allele.

#### EXAMPLE 2

##### Library Construction and Screening

The process of cDNA library screenings is commonly known among those skilled in the art and is described at Sambrook, J., Fritsch, E. F., Maniatis T., et al., *Molecular Cloning: A Laboratory Manual*, Cold Spring Harbor Laboratory, Cold Spring Harbor Lab Press, Plainview, N.Y. (1989). Libraries were created as follows.

DNA from a sterile plant was digested with EcoRI and run on a preparative gel. DNA with a molecular weight between 5.0 and 6.0 Kb was excised from the gel, electroeluted and ethanol precipitated. This DNA was ligated into the Lambda Zap vector (Stratagene™) using the manufacturer's protocol. The ligated DNA was packaged into phage particles using Gigapack Gold (Stratagene™). Approximately 500,000 PFU were plated and lifted onto nitrocellulose membranes. Membranes were hybridized with the Mu8 probe. A pure clone was obtained after 3 rounds of screening. The insert was excised from the phage as a plasmid and designated SBMu200-3.1. A PstI border fragment from this clone was isolated and used to reprobe the original EcoRI cosegregation blot. The 5.5 Kb EcoRI fragment is homozygous in all the sterile plants, which confirms that the correct Mu fragment was isolated. Three of the fertile plants are heterozygous for the 5.5 Kb EcoRI band and a 4.3 Kb EcoRI band. Two of the fertile plants are homozygous for the 4.3 Kb EcoRI band, presumably the wild type allele.



## EXAMPLE 3

## Expression Analysis and cDNA Isolation

Northern analysis can be used to detect expression of genes characteristic of anther development at various states of microsporogenesis. Northern analysis is also a commonly used technique known to those skilled in the art and is similar to Southern analysis except that mRNA rather than DNA is isolated and placed on the gel. The RNA is then hybridized with the labeled probe. Potter, E., et al., "Thyrotropin Releasing Hormone Exerts Rapid Nuclear Effects to Increase Production of the Primary Prolactin in RNA Transcript," *Proc. Nat. Acad. Sci. USA* 78:6662-6666 (1981), Lechelt, et al., "Isolation & Molecular Analysis of the Plows," *Mol. Gen. Genet.* 219:225-234 (1989). The PstI fragment from the SBMu200-3.1 clone was used to probe a Northern blot containing kernel, immature ear, seedling and tassel RNA. A signal was seen only in tassel RNA at approximately the quartet stage of microsporogenesis, as reflected in FIG. 3. The transcript is about 2.3 KB in length. The same probe was also used to screen a cDNA library constructed from mRNA isolated from meiotic to late uninucleate staged anthers. One clone, designated SBMu200-8.1, was isolated from the library.

## EXAMPLE 4

## Sequence Analysis

The SBMu200-3.1 genomic clone and the cDNA clone, SBMu200-8.1, were sequenced by Loftstrand Labs Limited. Sanger, F., Nicklen, S., Coulson A. R. (1977) "DNA sequencing with chain terminating inhibitors" *Proc. Natl. Acad. Sci. USA* 74:5463-5467. The sequences are set forth in FIGS. 4 and 5 and the comparison is at FIG. 6. The cDNA/genomic comparison reveals five introns are present in the genomic clone. The Mu8 insertion occurs in exon 1. Testing for codon preference and non-randomness in the third position of each codon was consistent with the major ORF in the cDNA being the likely protein-coding ORF. There is a putative Met start codon at position 1089 in the genomic clone. The cDNA homology with respect to the genomic clone begins at nucleotide 1094. Thus SBMu200-8.1 does not represent a full length clone and lacks 5 bases up to the putative Met start codon. A database search revealed significant homology to P450 enzymes found in yeast, plants and mammals. P450 enzymes have been widely studied and three characteristic protein domains have been elucidated. A comparison of the predicted protein from SBMu200-8.1 to the consensus amino acid sequence of these domains showed 1) 92% identity to the dioxygen binding domain, 2) 85% identity to the tridecapeptide domain (steroid binding), and 3) 100% identity to the C-terminal heme attachment domain. Further expression studies were done using the SBMu200-8.1 cDNA probe against a northern containing mRNA at discrete stages of microsporogenesis. Signal is detected from meiosis II/quartet to late-uninucleate, with maximal signal being observed from early-uninucleate through late-uninucleate as shown at FIG. 7.

## EXAMPLE 5

## Identification of Promoter and its Essential Regions

A putative TATA box can be identified by primer extension analysis as described in by *Current Protocols in*

*Molecular Biology*, Ausubel, F. M. et al. eds; John Wiley and Sons, New York pp. 4.8.1-4.8.5 (1987).

Regulatory regions of anther genes, such as promoters, may be identified in genomic subclones using functional analysis, usually verified by the observation of reporter gene expression in anther tissue and a lower level or absence of reporter gene expression in non-anther tissue. The possibility of the regulatory regions residing "upstream" or 5' ward of the translational start site can be tested by subcloning a DNA fragment that contains the upstream region into expression vectors for transient expression experiments. It is expected that smaller subgenomic fragments may contain the regions essential for male-tissue preferred expression. For example, the essential regions of the CaMV 19S and 35S promoters have been identified in relatively small fragments derived from larger genomic pieces as described in U.S. Pat. No. 5,352,605.

The selection of an appropriate expression vector with which to test for functional expression will depend upon the host and the method of introducing the expression vector into the host and such methods are well known to one skilled in the art. For eukaryotes, the regions in the vector include regions that control initiation of transcription and control processing. These regions are operably linked to a reporter gene such as UidA, encoding  $\beta$ -glucuronidase (GUS), or luciferase. General descriptions and examples of plant expression vectors and reporter genes can be found in Gruber, et al., "Vectors for Plant Transformation" in *Methods in Plant Molecular Biology and Biotechnology*; Glick, et al. eds; CRC Press; pp. 89-119; (1993). GUS expression vectors and GUS gene cassettes are commercially available from Clontech, Palo Alto, Calif., while luciferase expression vectors and luciferase gene cassettes are available from Promega Corporation, Madison, Wis. Ti plasmids and other Agrobacterium vectors are described in Ishida, Y., et al., *Nature Biotechnology*; Vol. 14; pp. 745-750; (1996) and in U.S. Pat. No. 5,591,616 "Method for Transforming Monocotyledons" (1994).

Expression vectors containing putative regulatory regions located in genomic fragments can be introduced into intact tissues such as staged anthers, embryos or into callus. Methods of DNA delivery include microprojectile bombardment, DNA injection, electroporation and *Agrobacterium*-mediated gene transfer (see Gruber, et al., "Vectors for Plant Transformation," in *Methods in Plant Molecular Biology and Biotechnology*, Glick, et al. eds.; CRC Press; (1993); U.S. Pat. No. 5,591,616; and Ishida, Y., et al., *Nature Biotechnology*; Vol. 14; pp. 745-750; (1996)). General methods of culturing plant tissues are found in Gruber, et al., supra and Glick, supra.

For the transient assay system, staged, isolated anthers are immediately placed onto tassel culture medium (Pareddy, D. R. and J. F. Petelino, *Crop Sci. J.*; Vol. 29; pp. 1564-1566; (1989)) solidified with 0.5% Phytigel (Sigma, St. Louis) or other solidifying media. The expression vector DNA is introduced within 5 hours preferably by microprojectile-mediated delivery with 1.2  $\mu$ m particles at 1000-1100 Psi. After DNA delivery, the anthers are incubated at 26° C. upon the same tassel culture medium for 17 hours and analyzed by preparing a whole tissue homogenate and assaying for GUS or for luciferase activity (see Gruber, et al., supra).

Upstream of the likely translational start codon of SBMu200, 1088 bp of DNA was present in the genomic clone SBMu200-3.1. Translational fusions via an engineered NcoI site were generated with reporter genes encoding luciferase and  $\beta$ -glucuronidase to test whether this fragment of DNA had promoter activity in transient expression assays



of bombarded plant tissues. Activity was demonstrated in anthers and not in coleoptiles, roots and calli, suggesting anther-preferred or anther-specific promoter activity.

A reasonable TATA box was observed by inspection, about 83–77 bp upstream of the translational start codon. The genomic clone SBMu200-3.1 thus includes about 1005 bp upstream of the possible TATA box. For typical plant genes, the start of transcription is 26–36 bp downstream of the TATA box, which would give the SBMu200 mRNA a 5'-nontranslated leader of about 48–58 nt. The total SBMu200 subgenomic fragment of 1088 bp, including nontranslated leader, start of transcription, TATA box and sequences upstream of the TATA box, was thus shown to be sufficient for promoter activity. See FIG. 8, which is SEQ. ID NO.5. The putative TATA box (TATATCA) is underlined. Thus, the present invention encompasses a DNA molecule having a nucleotide sequence of SEQ ID NO: 5 (or those with sequence identity) and having the function of a male tissue-preferred regulatory region.

Deletion analysis can occur from both the 5' and 3' ends of the regulatory region: fragments can be obtained by site-directed mutagenesis, mutagenesis using the polymerase chain reaction, and the like (*Directed Mutagenesis: A Practical Approach*; IRL Press; (1991)). The 3' end of the male tissue-preferred regulatory region can be delineated by proximity to the putative TATA box or by 3' deletions if necessary. The essential region may then be operably linked to a core promoter of choice. Once the essential region is identified, transcription of an exogenous gene may be controlled by the male tissue-preferred region of SBMu200 plus a core promoter. The core promoter can be any one of known core promoters such as a Cauliflower Mosaic Virus 35S or 19S promoter (U.S. Pat. No. 5,352,605), Ubiquitin (U.S. Pat. No. 5,510,474), the IN2 core promoter (U.S. Pat. No. 5,364,780), or a Figwort Mosaic Virus promoter (Gruber, et al., "Vectors for Plant Transformation" in *Methods in Plant Molecular Biology and Biotechnology*; Glick, et al. eds.; CRC Press; pp. 89–119; (1993)). Preferably, the promoter is the core promoter of a male tissue-preferred gene or the CaMV 35S core promoter. More preferably, the promoter is a promoter of a male tissue-preferred gene and in particular, the SBMu200 core promoter.

Further mutational analysis, for example by linker scanning, a method well known to the art, can identify small segments containing sequences required for anther-preferred expression. These mutations may introduce modifications of functionality such as in the levels of expression, in the timing of expression, or in the tissue of expression. Mutations may also be silent and have no observable effect.

The foregoing procedures were used to identify essential regions of the SBMu200 promoter. After linking the promoter with the luciferase marker gene deletion analysis was performed on the regions of the promoter upstream of the putative TATA box, as represented in FIG. 9. The x-axis of the bar graph indicates the number of base pairs immediately upstream of the putative TATA box retained in a series of

deletion derivatives starting from the 5' end of the promoter. The y-axis shows the normalized luciferase activity as a percent of full-length promoter activity.

As is evident from the graph, approximately 176 bp immediately upstream of the TATA box was sufficient, when coupled to the core promoter (putative TATA box through start of transcription), plus 5' nontranslated leader, for transient expression in anthers. By contrast, luciferase activity was minimal upon further deletion from the 5' end to 91 bp upstream of the putative TATA box. This 176 bp upstream of the putative TATA box through the nontranslated leader can be considered a minimal promoter, which is further represented at FIG. 10. The TATA box is underlined. Deletion within the full-length promoter from –176 through –92 relative to the TATA box reduced activity to about 1% of wild type. Deletion of –39 through –8 did not greatly reduce activity. Therefore the –176 to –44 bp region contains an essential region and thus would constitute an upstream enhancer element conferring anther expression on the promoter, which we refer to as an "anther box".

Linker scanning analysis was conducted across the anther box in 9–10 bp increments. The locations of the linker scanning substitutions in this region are shown in FIG. 10, and the expression levels of the mutants relative to the wild type sequence are shown in FIG. 11. The most drastic effect on transient expression in anthers was observed for mutants LS12 and LS13, in the region 52–71 bp upstream of the putative TATA box. A major effect on transient expression in anthers was also observed for mutants LS06, LS07, LS08 and LS10, within the region 82–131 bp upstream of the putative TATA box. Sequences within the anther box required for wild type levels of transient expression in anthers are thus demonstrated in the –52 to –131 region relative to the putative TAATA box, particularly the –52 to –71 region.

#### EXAMPLE 6

##### SBMu200 Sorghum Tassel RT-PCR and SBMu200 Maize cDNA Comparison

As noted above, SBMu200 is a male fertility gene. When it is mutated, male sterility will result. A homologue of SBMu200 was identified in sorghum. The sorghum-SBMu200 cDNA was isolated by using the maize SBMu200 gene primers in a polymerase chain reaction with sorghum tassel cDNA as the template. The resultant cDNA fragment was sequenced by methods described supra and then compared to the SBMu200 cDNA from maize. Nucleotide sequence comparisons are set forth in FIG. 10 and show 90% identity.

As is evident from the above, the SBMu200 gene is critical to male fertility in plants.

Thus it can be seen that the invention achieves at least all of its objectives.

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#### SEQUENCE LISTING

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-continued

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290 295 300	
ggc ggc ttc ggg gac gat aag agc ctc cgg gac gtg gtg ctc aac ttc	960
Gly Gly Phe Gly Asp Asp Lys Ser Leu Arg Asp Val Val Leu Asn Phe	
305 310 315 320	
gtg atc gcc ggg cgg gac acg acg gcg acg acg ctg tcg tgg ttc acg	1008
Val Ile Ala Gly Arg Asp Thr Thr Ala Thr Thr Leu Ser Trp Phe Thr	
325 330 335	
cac atg gcc atg tcc cac ccg gac gtg gcc gag aag ctg cgc cgc gag	1056
His Met Ala Met Ser His Pro Asp Val Ala Glu Lys Leu Arg Arg Glu	
340 345 350	
ctg tgc gcg ttc gag gcg gag cgc gcg cgc gag gag ggc gtc acg ctc	1104
Leu Cys Ala Phe Glu Ala Glu Arg Ala Arg Glu Glu Gly Val Thr Leu	
355 360 365	
gtg ctc tgc ggc ggc gct gac gcc gac gac aag gcg ttc gcc gcc cgc	1152
Val Leu Cys Gly Gly Ala Asp Ala Asp Asp Lys Ala Phe Ala Ala Arg	
370 375 380	
gtg gcg cag ttc gcg ggc ctc ctc acc tac gac agc ctc ggc aag ctg	1200
Val Ala Gln Phe Ala Gly Leu Leu Thr Tyr Asp Ser Leu Gly Lys Leu	
385 390 395 400	
gtc tac ctc cac gcc tgc gtc acc gag acg ctc cgc ctg tac ccc gcc	1248
Val Tyr Leu His Ala Cys Val Thr Glu Thr Leu Arg Leu Tyr Pro Ala	
405 410 415	
gtc cct cag gac ccc aag ggg atc ctg gag gac gac gac gtg ctg ccg gac	1296
Val Pro Gln Asp Pro Lys Gly Ile Leu Glu Asp Asp Val Leu Pro Asp	
420 425 430	
ggg acg aag gtg agg gcc ggc ggg atg gtg acg tac gtg ccc tac tcg	1344
Gly Thr Lys Val Arg Ala Gly Gly Met Val Thr Tyr Val Pro Tyr Ser	
435 440 445	
atg ggg cgg atg gag tac aac tgg ggc ccc gac gcg gcg agc ttc cgg	1392
Met Gly Arg Met Glu Tyr Asn Trp Gly Pro Asp Ala Ala Ser Phe Arg	
450 455 460	
ccg gag cgg tgg atc aac gag gat ggc gcg ttc cgc aac gcg tcg ccg	1440
Pro Glu Arg Trp Ile Asn Glu Asp Gly Ala Phe Arg Asn Ala Ser Pro	
465 470 475 480	
ttc aag ttc acg gcg ttc cag gcg ggg ccg agg atc tgc ctg ggc aag	1488
Phe Lys Phe Thr Ala Phe Gln Ala Gly Pro Arg Ile Cys Leu Gly Lys	
485 490 495	
gac tcg gcg tac ctg cag atg aag atg gcg ctg gcc atc ctc ttc cgc	1536
Asp Ser Ala Tyr Leu Gln Met Lys Met Ala Leu Ala Ile Leu Phe Arg	
500 505 510	
ttc tac agc ttc cgg ctg ctg gag ggg cac ccg gtg cag tac cgc atg	1584
Phe Tyr Ser Phe Arg Leu Leu Glu Gly His Pro Val Gln Tyr Arg Met	
515 520 525	
atg acc atc ctc tcc atg gcg cac ggc ctc aag gtc cgc gtc tct agg	1632
Met Thr Ile Leu Ser Met Ala His Gly Leu Lys Val Arg Val Ser Arg	
530 535 540	
gcc gtc tga tgt cat ggc gat ttg gat atg gat atc gtc ccg ctt aat	1680
Ala Val Cys His Gly Asp Leu Asp Met Asp Ile Val Pro Leu Asn	
545 550 555	
cca cga caa ata acg ctc gtg tta caa att tgc atg cat gca tgt aag	1728
Pro Arg Gln Ile Thr Leu Val Leu Gln Ile Cys Met His Ala Cys Lys	
560 565 570 575	
gga aag cga tgg gtt tca ttg gtg gct tgg ctt aag cct taaaaactcc	1777
Gly Lys Arg Trp Val Ser Leu Val Ala Trp Leu Lys Pro	
580 585	
gtcgggtctt gcgaaccacc acatcactag tgtttgtac tctactcctc agtggagtg	1837
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aaactcgag

1906

<210> SEQ ID NO 2  
 <211> LENGTH: 588  
 <212> TYPE: PRT  
 <213> ORGANISM: Zea mays

&lt;400&gt; SEQUENCE: 2

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Phe Phe Pro Leu Ala Gly Pro His Lys Tyr Ile Ala Leu Leu Leu Val  
 20 25 30

Val Leu Ser Trp Ile Leu Val Gln Arg Trp Ser Leu Arg Lys Gln Lys  
 35 40 45

Gly Pro Arg Ser Trp Pro Val Ile Gly Ala Thr Val Glu Gln Leu Arg  
 50 55 60

Asn Tyr His Arg Met His Asp Trp Leu Val Gly Tyr Leu Ser Arg His  
 65 70 75 80

Arg Thr Val Thr Val Asp Met Pro Phe Thr Ser Tyr Thr Tyr Ile Ala  
 85 90 95

Asp Pro Val Asn Val Glu His Val Leu Lys Thr Asn Phe Thr Asn Tyr  
 100 105 110

Pro Lys Gly Ile Val Tyr Arg Ser Tyr Met Asp Val Leu Leu Gly Asp  
 115 120 125

Gly Ile Phe Asn Ala Asp Gly Glu Leu Trp Arg Lys Gln Arg Lys Thr  
 130 135 140

Ala Ser Phe Glu Phe Ala Ser Lys Asn Leu Arg Asp Phe Ser Ala Ile  
 145 150 155 160

Val Phe Arg Glu Tyr Ser Leu Lys Leu Ser Gly Ile Leu Ser Gln Ala  
 165 170 175

Ser Lys Ala Gly Lys Val Val Asp Met Gln Glu Leu Tyr Met Arg Met  
 180 185 190

Thr Leu Asp Ser Ile Cys Lys Val Gly Phe Gly Val Glu Ile Gly Thr  
 195 200 205

Leu Ser Pro Asp Leu Pro Glu Asn Ser Phe Ala Gln Ala Phe Asp Ala  
 210 215 220

Ala Asn Ile Ile Ile Thr Leu Arg Phe Ile Asp Pro Leu Trp Arg Ile  
 225 230 235 240

Lys Arg Phe Phe His Val Gly Ser Glu Ala Leu Leu Ala Gln Ser Ile  
 245 250 255

Lys Leu Val Asp Glu Phe Thr Tyr Ser Val Ile Arg Arg Arg Lys Ala  
 260 265 270

Glu Ile Val Glu Val Arg Ala Ser Gly Lys Gln Glu Lys Met Lys His  
 275 280 285

Asp Ile Leu Ser Arg Phe Ile Glu Leu Gly Glu Ala Gly Asp Asp Gly  
 290 295 300

Gly Gly Phe Gly Asp Asp Lys Ser Leu Arg Asp Val Val Leu Asn Phe  
 305 310 315 320

Val Ile Ala Gly Arg Asp Thr Thr Ala Thr Thr Leu Ser Trp Phe Thr  
 325 330 335

His Met Ala Met Ser His Pro Asp Val Ala Glu Lys Leu Arg Arg Glu  
 340 345 350

Leu Cys Ala Phe Glu Ala Glu Arg Ala Arg Glu Glu Gly Val Thr Leu  
 355 360 365



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Val Leu Cys Gly Gly Ala Asp Ala Asp Asp Lys Ala Phe Ala Ala Arg  
 370 375 380

Val Ala Gln Phe Ala Gly Leu Leu Thr Tyr Asp Ser Leu Gly Lys Leu  
 385 390 395 400

Val Tyr Leu His Ala Cys Val Thr Glu Thr Leu Arg Leu Tyr Pro Ala  
 405 410 415

Val Pro Gln Asp Pro Lys Gly Ile Leu Glu Asp Asp Val Leu Pro Asp  
 420 425 430

Gly Thr Lys Val Arg Ala Gly Gly Met Val Thr Tyr Val Pro Tyr Ser  
 435 440 445

Met Gly Arg Met Glu Tyr Asn Trp Gly Pro Asp Ala Ala Ser Phe Arg  
 450 455 460

Pro Glu Arg Trp Ile Asn Glu Asp Gly Ala Phe Arg Asn Ala Ser Pro  
 465 470 475 480

Phe Lys Phe Thr Ala Phe Gln Ala Gly Pro Arg Ile Cys Leu Gly Lys  
 485 490 495

Asp Ser Ala Tyr Leu Gln Met Lys Met Ala Leu Ala Ile Leu Phe Arg  
 500 505 510

Phe Tyr Ser Phe Arg Leu Leu Glu Gly His Pro Val Gln Tyr Arg Met  
 515 520 525

Met Thr Ile Leu Ser Met Ala His Gly Leu Lys Val Arg Val Ser Arg  
 530 535 540

Ala Val Cys His Gly Asp Leu Asp Met Asp Ile Val Pro Leu Asn Pro  
 545 550 555 560

Arg Gln Ile Thr Leu Val Leu Gln Ile Cys Met His Ala Cys Lys Gly  
 565 570 575

Lys Arg Trp Val Ser Leu Val Ala Trp Leu Lys Pro  
 580 585

<210> SEQ ID NO 3  
 <211> LENGTH: 494  
 <212> TYPE: DNA  
 <213> ORGANISM: Sorghum sp.  
 <220> FEATURE:  
 <221> NAME/KEY: modified\_base  
 <222> LOCATION: (1)..(494)  
 <223> OTHER INFORMATION: "n" bases may be a, t, c, g, other or unknown

<400> SEQUENCE: 3

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 catgtcctca agactaactt caccaattac cccaaggggg acgtgtacag atcctacatg 120  
 gatgtgctcc tcggtgacgg catattcaac gctgacggcg agctgtggag gaagcagagg 180  
 aagacggcga gtttcgagtt cgcctccaag aacctgaggg atttcagtgc caatgttttc 240  
 agagagtact ccctgaagct gtcgggcata ctgagtcagg catccaaggc aggcaaagtt 300  
 gttgacatgc aggaacttta catgaggatg aactggact cgatctgcaa ngttggggttc 360  
 ggggtcnana tcggcacgct gtcnccgat ctccccgaga acagcttcnc ccaagcgttc 420  
 gatgccgcta acatcatcgt cacnctgctg ttcattccacc cnctgtggcg catccagaag 480  
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<210> SEQ ID NO 4  
 <211> LENGTH: 158  
 <212> TYPE: PRT  
 <213> ORGANISM: Sorghum sp.  
 <220> FEATURE:

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<221> NAME/KEY: MOD\_RES  
 <222> LOCATION: (1)..(158)  
 <223> OTHER INFORMATION: "Xaa" may be any, other or unknown amino acid

<400> SEQUENCE: 4

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 1 5 10 15  
 His Val Leu Lys Thr Asn Phe Thr Asn Tyr Pro Lys Gly Asp Val Tyr  
 20 25 30  
 Arg Ser Tyr Met Asp Val Leu Leu Gly Asp Gly Ile Phe Asn Ala Asp  
 35 40 45  
 Gly Glu Leu Trp Arg Lys Gln Arg Lys Thr Ala Ser Phe Glu Phe Ala  
 50 55 60  
 Ser Lys Asn Leu Arg Asp Phe Ser Ala Asn Val Phe Arg Glu Tyr Ser  
 65 70 75 80  
 Leu Lys Leu Ser Gly Ile Leu Ser Gln Ala Ser Lys Ala Gly Lys Val  
 85 90 95  
 Val Asp Met Gln Glu Leu Tyr Met Arg Met Thr Leu Asp Ser Ile Cys  
 100 105 110  
 Xaa Val Gly Phe Gly Val Xaa Ile Gly Thr Leu Ser Pro Asp Leu Pro  
 115 120 125  
 Glu Asn Ser Phe Xaa Gln Ala Phe Asp Ala Ala Asn Ile Ile Val Thr  
 130 135 140  
 Leu Arg Phe Ile His Pro Leu Trp Arg Ile Gln Lys Phe Phe  
 145 150 155

<210> SEQ ID NO 5  
 <211> LENGTH: 1092  
 <212> TYPE: DNA  
 <213> ORGANISM: Zea mays

<400> SEQUENCE: 5

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 gcgtgctgag agcaacgctg aggggttcca gggatggcaa tggctatggc aatcggctag 120  
 aggtggagga caagtggtg aggattgga gggcaacctt tggcaagttg gtgaagaggc 180  
 acgcaatgag agatctattc agacttacac tggatgccgc caacaaattc aacctttaga 240  
 ttttgatact gtcactccta ctttattcct tggttgggca acttccaata ggctcatggt 300  
 aatcaatgat tagtgattat tcagcaaata ttcttgttg tttgacattt ataatatgtg 360  
 gggtagacg gattaaatat catccatgag agctttatct tcatgctctc ttgattttgg 420  
 tttcagatca ttctttcagt gttcacaaga attttctcag tttggtccat gtaatttttg 480  
 aagtgagggt ccttaaattt cattatgctt ctttctttt ctagactagc aactgcatga 540  
 cttttcactt tgggttcaca aattgactca caagaaaaca aattcacttt tgggttcaca 600  
 aattcctctt caggatgtac ttttcacttg aactgtcatg tataggaaca aggaatggct 660  
 cagtttttaa ggaacaatgt acagatttca tttcagaact ctttctggtt ggttgagttt 720  
 cagacttttt gtaccaagct gatggatcac aatacttggt tccaaagtct gataacagaa 780  
 actggcaact cctaattgat aataaaaaga ataaaataca gtatcagata tctcattttc 840  
 ttggttgga gatcacaaaa aggaacacaa aggctaagcc tcctacttgt tcgggagtta 900  
 ggtcagggac accatatgaa tgaagaaat cttaatttgg ggtcacacca agattgtctc 960  
 tctcagaggt ggggggtccc taaggttgg agtagcaata cccaatatat cacctaacaa 1020  
 acccaatcca tgctacatac atacatagca tccatcactt gtagactgga cccttcatca 1080



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 agagcaccaat gg 1092

<210> SEQ ID NO 6  
 <211> LENGTH: 267  
 <212> TYPE: DNA  
 <213> ORGANISM: Zea mays

<400> SEQUENCE: 6

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 cttgttcggg agttaggcca gggacacat atgaatgaaa gaaatcttaa tttggggcca 120  
 caccaagatt gtctctctcg aggttggggg gtccctaagg ttggtagtag caatacccaa 180  
 tatatcacct aacaaacca atccatgcta catacataca tagcatccat cacttgtaga 240  
 ctggaccctt catcaagagc accatgg 267

<210> SEQ ID NO 7  
 <211> LENGTH: 3897  
 <212> TYPE: DNA  
 <213> ORGANISM: Zea mays

<400> SEQUENCE: 7

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 aggtggagga caaggtggtg aggattggga gggcaacctt tggcaagttg gtgaagaggc 180  
 acgcaatgag agatctattc agacttacac tggatgcccg caacaaattc aacctttaga 240  
 ttttgatact gtcactccta ctttattcct tggttgggca acttccaata ggctcatggt 300  
 aatcaatgat tagtgattat tcagcaaata ttcttgtttg tttgacattt ataatatgtg 360  
 gggtgagacg gattaaatat catccatgag agctttatct tcatgctctc ttgattttgg 420  
 tttcagatca ttctttcagt gttcacaaga attttctcag tttggccat gtaatttttg 480  
 aagtgagggt ccttaaattt cattatgctt cctttctttt ctgactagc aactgcatga 540  
 cttttcactt tgggttcaca aattgactca caagaaaaca aattcacttt tgggttcaca 600  
 aattcctctt caggatgtac ttttcacttg aactgtcatg tataggaaca aggaatggct 660  
 cagtttttaa ggaacaatgt acagatttca tttcagaact ctttctggtt ggttgagttt 720  
 cagacttttt gtaccaagct gatggatcac aatacttggt tccaaagtct gataacagaa 780  
 actggcaact cctaattgat aataaaaaga ataaaataca gtatcagata tctcattttc 840  
 ttggttggca gatcacaaaa aggaacacaa aggctaagcc tcctacttgt tcgggagtta 900  
 ggtcagggac accatatgaa tgaaagaaat cttaatttgg ggtcacacca agattgtctc 960  
 tctcgagggt ggggggtccc taagggttgg agtagcaata cccaatata cacctaacia 1020  
 acccaatcca tgctacatac atacatagca tccatcactt gtagactgga cccttcatca 1080  
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 ggtggagcct gaggaagcag aaaggcccga gatcatggcc agtcatcggg gcaacgggtg 1260  
 agcagctgag gaactaccac cggatgcacg actggcttgt cgggtacctg tcacggcaca 1320  
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tagggaatcg	tgtacagatc	ctacatggac	gtgctcctcg	gtgacggcat	cttcaacgcc	1560
gacggcgagc	tgtggaggaa	gcagaggaag	acggcgagtt	tcgagttcgc	ctccaagaac	1620
ctgagggatt	tcagcgccat	tgtgttcaga	gagtactccc	tgaagctgtc	gggtatactg	1680
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cattgccaac	atgagcattt	caacctgaga	cacgagagct	accttgccga	ttcaggaact	1800
ttacatgagg	atgacgctgg	actccatctg	caaggttggg	ttcggggtcg	agatcggcac	1860
gctgtcgccg	gatctccccg	agaacagctt	cgcgaggcg	ttcgatgccg	ccaacatcat	1920
cgtcacgctg	cggttcatcg	acccgctgtg	gcgcatcaag	aggttcttcc	acgtcgggtc	1980
agaggccctc	ctagcgcaga	gcatcaagct	cgtggacgag	ttcacctaca	gcgtgatccg	2040
ccggaggaag	gccgagatcg	tcgaggcccc	ggccagcggc	aaacaggaga	aggtagctgc	2100
acatgactgt	ttcgattctt	cagttcatcg	tcttgcccg	gatggacctg	atcctgattg	2160
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tgtcacggtt	catcgagcta	ggcgaggccg	gcgacgacgg	cggcggttc	ggggacgaca	2280
agagcctccg	ggacgtggtg	ctcaacttcg	tgatcgccgg	gcgggacacg	acggcgacga	2340
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cccaagggga	tcctggagga	cgacgtgctg	ccggacggga	cgaaggtgag	ggccggcggg	2760
atggtgacgt	acgtgcccta	ctcgatgggg	cggatggagt	acaactgggg	ccccgacgcg	2820
gcgagcttcc	ggccggagcg	gtggatcaac	gaggatggcg	cgttccgcaa	cgcgctgccg	2880
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gtcactcggg	atgacgacaa	gccacaagc	agtgagagcg	aagcgatctt	tggagtttgg	3540
agacactctc	ggaccctcgc	gcgctccgcg	agctcatctt	cgctcctct	gtcgtgtccg	3600
tggcggcacc	gcgccgcc	gcctcgtgtt	cgacaaaatc	ccgcgccccg	accggttcgt	3660
gtacaacacc	ctcatccgcg	gcgccgcgcg	cagtgcacag	ccccgggacg	ccgtatacat	3720
ctataaatca	tggatttgta	ctttatcttc	aaacggcctt	aacacaacca	tatttttatg	3780



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gtaaacacgt tcaaaattga cacaaattta aaacagggcac aaaccgtagc taaacataag	3840
agaatgagag acaaccctaaa ggtagagat gaaataagct gagtaaacga cgaattc	3897

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What is claimed is:

1. An isolated regulatory region comprising bases 830 to 962 of SEQ ID NO: 7.
2. An isolated regulatory region comprising bases 830 to 914 of SEQ ID NO: 7.
3. An isolated regulatory region comprising bases 917 to 962 of SEQ ID NO: 7.
4. An isolated regulatory region comprising bases 875 to 954 of SEQ ID NO: 7.
5. An isolated regulatory region comprising bases 935 to 954 of SEQ ID NO: 7.
6. An isolated regulatory region comprising bases 875 to 924 of SEQ ID NO: 7.
7. An expression vector comprising a male tissue specific regulatory region selected from the group consisting of:
  - (i) SEQ ID NO: 5;
  - (ii) SEQ ID NO: 6;
  - (iii) bases 1–1088 of SEQ ID NO: 7;
  - (iv) bases 830 to 962 of SEQ ID NO: 7;
  - (v) bases 830 to 914 of SEQ ID NO: 7;
  - (vi) bases 917 to 962 of SEQ ID NO: 7;
  - (vii) bases 875 to 954 of SEQ ID NO: 7;
  - (viii) bases 935 to 954 of SEQ ID NO: 7; and
  - (ix) bases 875 to 924 of SEQ ID NO: 7.
8. The expression vector of claim 7 further comprising a second nucleic acid, wherein the second nucleic acid is operably linked to the regulatory region such that the regulatory region regulates male tissue expression of the second nucleic acid.
9. The expression vector of claim 7, wherein the vector further comprises a promoter operably linked to the regulatory region, and wherein the promoter is selected from the group consisting of CaMV35S, SGB6, SBMu200, MS45 and 5126.
10. The expression vector of claim 8, wherein the product of the second nucleic acid disrupts the function of male tissue.
11. A plant cell comprising the vector of claim 7.
12. A method of mediating male fertility in a plant, wherein the method comprises introducing into a plant the expression vector of claim 8, wherein the second nucleic acid impacts male fertility of the plant.
13. The method of claim 12, wherein the second nucleic acid disrupts function of male tissue of the plant, causing the plant to be male sterile.
14. The method of claim 13, wherein the vector further comprises an inducible promoter operatively linked to the regulatory region.
15. The method of claim 14, wherein the plant is constitutively sterile when the promoter is not induced and is fertile when the promoter is induced.
16. The method of claim 13, further comprising cross-fertilizing the male sterile plant with a second plant, wherein the second plant comprises a third nucleic acid, wherein the product of the third nucleic acid prevents disruption of the male tissue by the second nucleic acid, thereby producing a male fertile hybrid plant.
17. An isolated nucleic acid sequence comprising SEQ ID NO: 6.
18. An expression vector comprising a regulatory region selected from the group consisting of SEQ ID NO: 6 and bases 1–1005 of SEQ ID NO: 7.
19. An isolated male tissue preferred regulatory region comprising the bases 1–1088 of SEQ ID NO: 7 or a fragment thereof that confers male tissue preferred regulation.
20. An isolated male tissue preferred regulatory region comprising SEQ ID NO: 5 or a fragment thereof that confers male tissue preferred regulation.
21. An isolated male tissue preferred regulatory region comprising SEQ ID NO: 6 or a fragment thereof that confers male tissue preferred regulation.
22. A plant comprising the isolated male tissue preferred regulatory region comprising bases 1–1088 of SEQ ID NO: 7 or a fragment thereof that confers male tissue preferred regulation.
23. A plant comprising the isolated male tissue preferred regulatory region SEQ ID NO: 5 or a fragment thereof that confers male tissue preferred regulation.
24. A plant comprising the isolated male tissue preferred regulatory region comprising SEQ ID NO: 6 or a fragment thereof that confers male tissue preferred regulation.
25. An expression vector comprising the isolated male tissue preferred regulatory region of bases 1–1088 of SEQ ID NO: 7 or a fragment thereof that confers male tissue preferred regulation.
26. An expression vector comprising the isolated male tissue preferred regulatory region of SEQ ID NO: 5 or a fragment thereof that confers male tissue preferred regulation.
27. An expression vector comprising the male tissue preferred regulatory region comprising SEQ ID NO: 6 or a fragment thereof that confers male tissue preferred regulation.
28. A method of producing a hybrid seed, wherein the method comprises: (a) transforming a first parent plant with the expression vector of claim 7 or 18 wherein the vector further comprises a second nucleic acid operably linked to the regulatory region and wherein the second nucleic acid confers male sterility on the plant; (b) producing a second parent plant which is male fertile; and (c) cross-fertilizing the first parent plant and the second parent plant to produce a first hybrid seed.
29. The method of claim 28, wherein the second nucleic acid is dominant and wherein the method further comprises (c) growing the first hybrid seed to produce a third male sterile parent plant; (d) producing a fourth parent plant comprising one or more genes controlling a desired gene trait; and (e) cross-fertilizing the third and fourth parent plants to produce a second hybrid seed.

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